

LC HEARING 2/15/10 - A-LIST SUPPER CLUB & LOUNGE

SHEET 1 PAGE 1

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1  
2 CITY OF MILWAUKEE  
3 LICENSES COMMITTEE

4 \*\*\*\*\*

5 In the Matter of the Class "B" Tavern and Tavern  
6 Dance applications with an age distinction of 30 years of  
7 age and older Thursday-Saturday for:

8 "A-LIST SUPPER CLUB AND LOUNGE"  
9 "SILVERSTEIN GROUP, LLC"  
10 MARC A. BROWN  
11 2116 N. Farwell Avenue

12 \*\*\*\*\*

13 COMMITTEE MEMBERS

14 ALD. JAMES BOHL - Chair  
15 ALD. MILELE COGGS - Vice Chair  
16 ALD. T. ANTHONY ZIELINSKI  
17 ALD. NIK KOVAC

18 LICENSING DIVISION by REBECCA GRILL  
19 POLICE DEPARTMENT by P.O. PAUL MACGILLIS  
20 OFFICE OF THE CITY ATTORNEY by ATTORNEY BRUCE SCHRIMPF

21 Proceedings had and testimony given in  
the above-entitled matter, before the LICENSES  
COMMITTEE OF THE CITY OF MILWAUKEE, on  
the 15th day of February, 2010.

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1 CHAIRMAN BOHL: We have our applicant  
2 here. Is there counsel that is representing - -  
3 MR. MITZ: My name is How - - Excuse  
4 me. I didn't mean to interrupt you. My name is  
5 Attorney Howard B. Mitz. My address is 1017 West  
6 Glen Oaks Lane, Suite 104, Mequon, Wisconsin  
7 53092, and I represent the applicant.

8 CHAIRMAN BOHL: And what is the  
9 spelling of your last name?

10 MR. MITZ: M, as in mother, I-T-Z.

11 CHAIRMAN BOHL: Thank you. Thank you,  
12 Attorney Mitz.

13 MR. MITZ: May I just say something,  
14 Alderman Bohl, before we start?

15 CHAIRMAN BOHL: Sure.

16 MR. MITZ: We are requesting a  
17 continuance of this hearing, based upon the fact  
18 that Alderman Ashanti is not here, Ashanti  
19 Hamilton. And Alderman Hamilton has personal  
20 knowledge of this matter, and he tried to be  
21 here. He couldn't. He's - - I believe he's out  
22 of the State, actually. And what we believe  
23 would be very important to all concerned is to  
24 have all the facts on the table, and he is a  
25 member of the committee, and having personal

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1 PROCEEDINGS  
2 CHAIRMAN BOHL: For "Silverstien Group,  
3 LLC," Class "B" Tavern and Tavern Dance  
4 applications with an age restriction of 30 and up  
5 Thursday through Saturday as agent for  
6 Silverstien Group, LLC for "A-List Supper Club &  
7 Lounge" at 2116 North Farwell Avenue.

8 Would Marc Brown and/or representatives  
9 of Silverstien Group, LLC be present?

10 If everyone could please commence  
11 taking their seats here. And what I will ask is  
12 there's a greater number of individuals, if you  
13 do have a cell phone or pager in your pocket,  
14 please reach into your pocket and turn that off  
15 or put it on mute so that it does not disturb  
16 this committee or individuals that are around you  
17 here.

18 I'll again read the - - the notice,  
19 Marc Brown, agent for Silverstien Group, LLC,  
20 Class "B" Tavern and Tavern Dance application  
21 with age restriction of 30 and up Thursday  
22 through Saturday, as agent for Silverstien Group,  
23 LLC, for A-List Supper Club & Lounge at 2116  
24 North Farwell Avenue. Morning to you.

25 THOSE PRESENT: Good morning.

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1 knowledge, we would like him to be present so  
2 that he could input his information, so that this  
3 committee could have a full and complete  
4 understanding of the situation. In the  
5 alternative, if this committee isn't willing to  
6 do that, what we would request is that testimony  
7 and matters be taken, but a vote not be taken  
8 until Alderman Ashanti Hamilton would have the  
9 opportunity to come back and vote.

10 There seem to be some mix-up or some  
11 misunderstanding as to the date. We thought it  
12 was going to be on the 17th. Alderman Hamilton  
13 could have made the 17th, but then it was  
14 switched, for some reason, to the 15th, and he  
15 already had his vacation plans and could not make  
16 it.

17 CHAIRMAN BOHL: Thank you. That  
18 certainly is an option that is available to the  
19 committee. It would have to be a motion of the  
20 committee. What I will tell you is I don't - - I  
21 won't support it. It is extremely unusual to  
22 make that request for a member of the committee.  
23 This committee frequently will run with fewer  
24 than five members. Never have I ever had a  
25 situation in ten years in serving on this

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1 committee in which a - - because one member was  
 2 not present, as long as a quorum was present,  
 3 that a request was there for a certain individual  
 4 be there present to vote. That - - That  
 5 literally saying that the other individual  
 6 members here are not capable of rendering an  
 7 unbiased and impartial decision. And the fact of  
 8 the matter is, is whether Alderman Hamilton has  
 9 intimate knowledge, your case is individual. You  
 10 have the ability to present your case to other  
 11 members of this committee, and that's why I  
 12 simply won't do it. I have had experience in  
 13 dealing with your applicants, have met with them  
 14 over disputes and other issues, so I have  
 15 intimate knowledge, as well, too. So for that -  
 16 - For that matter, I mean, I - - I think that - -  
 17 that it would be - - behoove this committee not  
 18 to consider that, although that is to the  
 19 individual decision of - - of others. I think  
 20 that we have the capability, as a body with - -  
 21 with sufficient members and a quorum that is  
 22 present, to consider all the - - the facts that  
 23 are presented before us and render a decision on  
 24 the application that is before us here,  
 25 notwithstanding that.

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1 ALDERMAN KOVAC: Mr. Chair.  
 2 CHAIRMAN BOHL: Alderman Kovac.  
 3 ALDERMAN KOVAC: This - - These group  
 4 of applicants did meet with the North Avenue  
 5 Business - - Business Improvement District about  
 6 a month ago, and I did announce at the end of  
 7 that meeting that they would most likely be  
 8 scheduled for the 17th. That might be the start  
 9 of the confusion. Just look behind you and  
 10 you'll know why we scheduled it for today,  
 11 because we have a very busy schedule on the 17th,  
 12 consulting with licensing manager, Becky Grill,  
 13 and the Chairman, said - - I said, you know, as  
 14 we always do, this might take a while. So as a  
 15 courtesy to you and everyone who is here to  
 16 testify, we put it on a separate day. I did  
 17 consult with Alderman Hamilton's office. I've  
 18 actually been consulting with him for months on  
 19 this issue, since he does - - is familiar with  
 20 you - - your group. I told you that once we've  
 21 noticed it, everyone is here for - - for and  
 22 against, we're going to take testimony. It's  
 23 always the option of the committee to then hold.  
 24 It's a new license. We'll have the option. No  
 25 one's - - I'm not going to make that motion now.

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1 If, you know, sometimes we hear all the evidence  
 2 and we say, you know what, we're not ready to  
 3 make a decision. Let's have more meetings. We  
 4 try not to do that, but that's possible. No  
 5 one's made a motion yet. We're probably not  
 6 going to make one until we've heard everything.  
 7 CHAIRMAN BOHL: Thank you. All right.  
 8 With that, at this point here we will swear in  
 9 all the individuals. What I will just say is I'm  
 10 going to call this a contested hearing. And what  
 11 that means is this much. Other than the  
 12 individuals who are present who have an interest  
 13 in the application, meaning that they are part of  
 14 the, either Marc Brown as the agent or the  
 15 Silverstien Group, individuals who are neighbors,  
 16 supporters, opponents, we will restrict your time  
 17 to two minutes of testimony. And so, ultimately,  
 18 you can concisely hopefully provide your summary  
 19 to the Council as to if you oppose, your reason  
 20 for opposing. If you support, I know these  
 21 individuals, this is my reason for supporting.  
 22 What we will do is, is we will allow  
 23 for an opening statement by the applicant. At  
 24 that point I will call and ask for individuals  
 25 who are opposed. What we will do is when we - -

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1 When we have individuals come forward to provide  
 2 testimony who are neighbors, character witnesses,  
 3 so on and so forth, we have a standing microphone  
 4 to my right and to your left. If individuals are  
 5 physically able, we would ask you to utilize that  
 6 standing microphone. What I'm going to ask the  
 7 gentleman in the front row to my immediate right  
 8 to do is to please, if you could find additional  
 9 seats elsewhere to relinquish those seats.  
 10 Because when we do get individuals if there are  
 11 eight individuals who are present here to - - to  
 12 provide testimony in opposition, we're going to  
 13 ask that you all come forward and take those  
 14 seats, so that we can move in an orderly fashion  
 15 and proceed with this testimony in - - in a  
 16 concise fashion.  
 17 We will need your name, your address,  
 18 your home address, for the record. If there - -  
 19 And if you have more than a name that is Shirley  
 20 Smith, where it is, if there is any question  
 21 about the spelling of your name, we will ask that  
 22 you, when you provide your name, to spell it for  
 23 our - - for our Court Reporter. At that point,  
 24 the committee will - - And when you do come  
 25 forward and provide testimony, if you could

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1 please, when you commence your testimony, please  
 2 remain standing. Indicate to me, as the  
 3 Chairperson, if you are unable to physically  
 4 stand. We will then ask an individual present to  
 5 relinquish a seat if you are physically unable.  
 6 We do want to provide - - provide that  
 7 accommodation to all interested parties. But  
 8 once you are finished with your testimony, please  
 9 remain at the microphone until I dismiss you.  
 10 There may be questions that the committee has and  
 11 the applicant or his attorney would have of you.  
 12 So once you commence your testimony, please  
 13 remain. I will ask for questions. If there are  
 14 no questions, I will then say, thank you, you are  
 15 dismissed. Okay. Are there any questions by  
 16 anyone in the audience here? I'm going to ask  
 17 all individuals, other than the attorney who is  
 18 present here, who intends to provide testimony to  
 19 please raise your right hand. We will swear all  
 20 you in. If you do not raise your right hand  
 21 right now, this is for both people who are in  
 22 favor or opposed to the license application and  
 23 anyone else who intends to provide testimony,  
 24 please raise your right hand. I will just let  
 25 you know if you don't raise your right hand now,

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1 please don't raise your hand later and shake it  
 2 at me and say, please, I want to provide  
 3 testimony, because this is it. One time. If you  
 4 intend to provide testimony, raise your right  
 5 hand right now.  
 6 (Whereupon those present were sworn.)  
 7 CHAIRMAN BOHL: Thank you. Now for our  
 8 - - our agent, I'll need a name and mailing  
 9 address for the record, please.  
 10 THE APPLICANT: My name is Marc Anthony  
 11 Brown. My mailing address is 3206 North 11th  
 12 Street, Milwaukee, Wisconsin 53206.  
 13 CHAIRMAN BOHL: Thank you. Mr. Brown,  
 14 do you acknowledge receiving notice of today's  
 15 meeting with the possibility that your  
 16 application could be denied. An attached police  
 17 report should have been part of your notice, as  
 18 well as an outline of potential neighborhood  
 19 objections that could serve as denial.  
 20 THE APPLICANT: Yes.  
 21 CHAIRMAN BOHL: Thank you. Ms. Grill,  
 22 are there any holds on this application?  
 23 MS. GRILL: The Health Department has a  
 24 hold for inspection, and Neighborhood Services  
 25 has a hold for occupancy.

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1 CHAIRMAN BOHL: You gentlemen have  
 2 experience at this. You understand - -  
 3 THE APPLICANT: Yes, yes.  
 4 CHAIRMAN BOHL: - - what those mean.  
 5 Sergeant, police report, please.  
 6 SERGEANT MACGILLIS: Start with item  
 7 one on 9/14/2009, the applicant was charged in  
 8 Milwaukee County with refusal to take test for  
 9 intoxication. Charged refusal to take test for  
 10 intoxication. Set for correction on a pretrial  
 11 conference. It's a refusal hearing on 3/18 of  
 12 2010 at 1:30 p.m.  
 13 Item two on 9/24/2009, the applicant  
 14 was charged in Milwaukee County with operating  
 15 under the influence, first offense. Charge  
 16 operating under the influence, first offense,  
 17 that's a court trial that is set. Delete the  
 18 information regarding the pretrial conference.  
 19 Court trial is set for 3/18/2010 at 1:30 p.m.  
 20 Additionally, it should be noted that the  
 21 applicant's name is listed as an alias with our  
 22 department. Our department lists his name as  
 23 David Ronald Marie. That's all I have.  
 24 CHAIRMAN BOHL: Sergeant, as a follow-  
 25 up to that, do you have David Ronald Marie as

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1 being the legal name?  
 2 SERGEANT MACGILLIS: No, apparently,  
 3 when - - Mr. Brown, were you, according to our  
 4 records it appears that he was arrested in 1991,  
 5 and it looks like - - One second, please. And,  
 6 sir, Mr. Brown, if I can address you on this, was  
 7 it possible that you gave a false name to the  
 8 police department when you were arrested?  
 9 THE APPLICANT: Yeah, to go back to  
 10 1991, I was pulled over for a traffic violation,  
 11 and I had my ID and my cousin's ID on me at the  
 12 same time. And they just put it down as alias,  
 13 but it was - - it was no - -  
 14 SERGEANT MACGILLIS: Okay. Because we  
 15 have it as, in our record, as there was an arrest  
 16 for another matter, and that was 4/6 of 1991. So  
 17 there is an obstruction charge, also. So that's  
 18 - - We have him as that, but that's not his legal  
 19 name.  
 20 CHAIRMAN BOHL: Thank you. Were there  
 21 any questions or comments that you have relating  
 22 to items in the police report?  
 23 MR. MITZ: No, we don't. Other than,  
 24 obviously, Mr. Brown has the right to the  
 25 presumption of innocence, and that's why their

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1 hearings have been scheduled.  
 2 CHAIRMAN BOHL: Questions by committee?  
 3 The - - I'll just follow up. Two items, these  
 4 are separate incidents, one and two?  
 5 THE APPLICANT: No, actually this is -  
 6 - this is one.  
 7 SERGEANT MACGILLIS: Same incident.  
 8 THE APPLICANT: Same incident.  
 9 CHAIRMAN BOHL: They are the same  
 10 incident.  
 11 SERGEANT MACGILLIS: Right. They split  
 12 the charge.  
 13 THE APPLICANT: It happened on the same  
 14 day, and I - - I have a - - actually on March  
 15 18th, have a trial date.  
 16 CHAIRMAN BOHL: Okay. So one incident  
 17 led to two charges that - -  
 18 THE APPLICANT: Yeah.  
 19 CHAIRMAN BOHL: - - that came on  
 20 separate dates.  
 21 THE APPLICANT: No, they came on the  
 22 same date, actually. Same time, same - - I don't  
 23 know why they got them separate.  
 24 CHAIRMAN BOHL: Was that possibly an  
 25 error then, Sergeant, where it says, 9/14, and

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1 the part of the committee to have that read into  
 2 the record, or do you - - is there a desire to  
 3 make it part of the record? I throw that out,  
 4 because unless it is, it can be sent in notice,  
 5 but is not part of our formal record. So is  
 6 there a desire on the part of the committee, I'm  
 7 asking that now at this point?  
 8 ALDERMAN KOVAC: Yeah, I'd like to - -  
 9 to hear it and make it part of the record, as  
 10 well.  
 11 SERGEANT MACGILLIS: Okay. And that's  
 12 for license number 16027. Correct?  
 13 CHAIRMAN BOHL: It would be for the  
 14 Onyx. We have a Milwaukee Police report for  
 15 Class "B" Tavern for Onyx.  
 16 SERGEANT MACGILLIS: One second,  
 17 please.  
 18 CHAIRMAN BOHL: It starts on page 45 of  
 19 our agenda report here.  
 20 SERGEANT MACGILLIS: Just bear with me  
 21 for a second. I'll just read it off the E book.  
 22 Item four on 3/31/2007 at 12:33 a.m., and I  
 23 should preface this with previously reported  
 24 incident number three, disposition now added, 2/4  
 25 of 2008. However, going on to item four on

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1 then nine - -  
 2 SERGEANT MACGILLIS: Sure, if he was  
 3 - - If he refused a chemical test or a  
 4 Breathalyzer test, that's an additional - -  
 5 that's an additional - -  
 6 CHAIRMAN BOHL: No, I just mean,  
 7 usually - - usually on the police report where it  
 8 indicates on, for example, under number one, on  
 9 9/14 of 2009 the applicant was charged. Number  
 10 two says, "On 9/24 of 2009." That for me was  
 11 were these separate dates in which the charges  
 12 came forward? The applicant said he - - that it  
 13 was not. So I'm wondering if that's possible  
 14 that it was a typo, where it should have been  
 15 9/24, 9/24, 9/14 and 9/14.  
 16 SERGEANT MACGILLIS: Very well could  
 17 be.  
 18 CHAIRMAN BOHL: Okay. All right.  
 19 Thank you. The - - There is also a police report  
 20 for a Class "B" establishment that this applicant  
 21 was - - was part of. That was - - Was that  
 22 provided with the notice to the applicant then,  
 23 as well, too?  
 24 ALDERMAN KOVAC: It's in my book here.  
 25 CHAIRMAN BOHL: Is there any desire on

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1 3/31/2007 at 12:33 a.m., Milwaukee Police were  
 2 dispatched to the Onyx for a battery complaint.  
 3 Investigation revealed a fight took place inside  
 4 the tavern between two patrons who were an ex-  
 5 boyfriend and ex-girlfriend. Security broke up  
 6 the fight with the female leaving the tavern.  
 7 Officer spoke to the licensee, Obiora Obi, who  
 8 stated he did observe the fight and had security  
 9 remove both parties from the club. A report was  
 10 filed.  
 11 Item five on 7/15/2007 at 12:45 a.m.,  
 12 Milwaukee Police conducted a tavern check at 3120  
 13 West Villard Avenue after seeing patrons leaving  
 14 the tavern after hours. Officers found there was  
 15 no liquor license displayed. The licenses - -  
 16 Correction - - The licensee, Obiora Obi, was  
 17 issued a citation for display of liquor license,  
 18 charged display of liquor license. Finding of  
 19 guilty in Municipal Court, 125 dollar fine on  
 20 3/7/2008.  
 21 Item six on 8/11/2007, Milwaukee Police  
 22 were dispatched to 3120 Villard Avenue for a  
 23 fight complaint. Investigation revealed a fight  
 24 broke out between two patrons with security  
 25 escorting all parties out of the tavern. No

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1 further information was provided.  
 2 And item seven on 3/9/2008, officers  
 3 investigated a reckless endangering safety  
 4 complaint that occurred in the 3100 block of West  
 5 Villard Avenue. Investigation revealed that an  
 6 18 year old and 20 year old female were inside  
 7 the Onyx at 3120 West Villard Avenue, where they  
 8 were consuming alcoholic beverages. The two  
 9 females were involved in a physical fight with  
 10 other female patrons while on the dance floor  
 11 inside Onyx. The females were removed by  
 12 employees, but the fight escalated outside,  
 13 accumulating - - Correction - - accumulating with  
 14 the 18 year old striking two of the other women  
 15 involved in the fight with a vehicle. The driver  
 16 - - driver of the vehicle was arrested. Charge,  
 17 sale of alcoholic beverages to underage person,  
 18 two counts. There was an arraignment on  
 19 4/30/2008. I have no further information  
 20 regarding that.

21 CHAIRMAN BOHL: Thank you. Were there  
 22 questions or comments that you have relating to  
 23 this provision?

24 MR. MITZ: Yes, I'd like to respond,  
 25 please. My client's name has not been mentioned

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1 in any of these incidents. And while he was  
 2 somewhat involved at the time, he was no longer  
 3 involved in the premises as of January 1st, 2008.  
 4 He physically was prohibited from going on the  
 5 premises. So he was absolutely not involved.  
 6 Second point I'd like to bring to the committee's  
 7 attention is all of this was considered by the  
 8 various agencies in the City of Milwaukee. It's  
 9 all old news, and no action was ever taken  
 10 against Onyx. Onyx still has its license. It's  
 11 operating right now. I think the worst that ever  
 12 happened, they had one warning letter. Was that  
 13 it?

14 THE APPLICANT: Actually, we didn't  
 15 have a warning letter when I was there. They - -  
 16 They got one as a result, I believe, of item  
 17 number seven for with the underage. I wasn't  
 18 there at that time.

19 MR. MITZ: And he wasn't involved at  
 20 that time. And it - - It would be sort of  
 21 perverse to say, well, we don't want to give this  
 22 man a license because of these couple of minor  
 23 incidents, when the tavern itself still has its  
 24 license, never was suspended and is still  
 25 operating.

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1 ALDERMAN KOVAC: Mr. Chairman.  
 2 CHAIRMAN BOHL: Questions by committee,  
 3 Alderman Kovac.

4 ALDERMAN KOVAC: I want to follow up on  
 5 that. Yeah. It's not necessarily that this  
 6 would or would not prevent the license, which I  
 7 think, correct me if I'm wrong, anything that  
 8 happened in the past 12 months matters to Onyx.  
 9 So if - - So a lot of this stuff happened more  
 10 than 12 months ago. When Onyx gets renewed, this  
 11 cannot be considered. However, any new  
 12 application, the whole history comes out. So  
 13 it's something we consider. Whether it's a deal  
 14 breaker is obviously up to this committee, but  
 15 it's certainly, I think, within the realm for us  
 16 to consider on any new license.

17 CHAIRMAN BOHL: Correct. Yes.

18 MR. MITZ: I'm putting it in  
 19 perspective, Alderman.

20 CHAIRMAN BOHL: Correct. I thank you  
 21 for clarifying that, Alderman Kovac. If that  
 22 hadn't been raised, I would have clarified that,  
 23 and ultimately, the perspective is this is a new  
 24 application and whatever relevance the committee  
 25 decides in terms of past history and/or

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1 involvement of - - of the applicant and/or others  
 2 in previous establishments is left to the  
 3 discretion of the committee. Are there  
 4 additional questions that committee members have  
 5 at this time? Thank you. Mr. Mitz, was there an  
 6 opening statement that you wished to make?

7 MR. MITZ: I'd like to let my client  
 8 make the statement.

9 CHAIRMAN BOHL: Okay.

10 MR. MITZ: The applicant.

11 CHAIRMAN BOHL: Mis - - Mr. Brown, just  
 12 so that we - - If you could again restate your  
 13 name here, if you do provide testimony here,  
 14 because, so for the transcript's sake we can  
 15 ensure that we are keeping proper track of - - of  
 16 who is speaking. So, go ahead, please.

17 THE APPLICANT: Marc A. Brown.

18 CHAIRMAN BOHL: Just - - We're not  
 19 going to go to others. If he's just speaking  
 20 now, I'm not going - - If there's a time where  
 21 you're going to speak, five minutes from now,  
 22 we'll take you then. Okay?

23 THE APPLICANT: Did you want the  
 24 address, as well?

25 CHAIRMAN BOHL: Your address would be

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1 the address that we have on the application. So  
2 that - - yours is what I'm seeing. Go ahead.  
3 THE APPLICANT: Okay. I'm Marc A.  
4 Brown. I kind of wanted to go back over just a  
5 couple of the incidents that happened at Onyx, as  
6 I'm very proud of our history at the time that we  
7 operated, you know, the - - the establishment.  
8 Going back to the number - - item number four,  
9 with the battery complaint. That was, as it  
10 states, an ex-boyfriend and girlfriend who they  
11 got into it. My ex-partner, Obi, saw the fight,  
12 alerted security. They broke it up and got them  
13 outside. And that was pretty much the end of  
14 that.

15 The second incident with the display of  
16 liquor license. We did have our liquor license  
17 on display. Onyx is a cavernous building. It's  
18 13,000 square feet and actually four rooms in  
19 that facility. And the license was displayed on  
20 a wall that was in the - - the largest area,  
21 which was our dance floor area. The officer  
22 informed us that it should have been in the area  
23 closest to the door when they first come in so  
24 they could see it. That's what spawned this  
25 ticket. We paid it and moved on, moved the

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1 were in legal battle over the ownership, so not  
2 involved in the day-to-day operation.  
3 MR. MITZ: Thank you very much,  
4 Alderman. And, in fact, he was physically not on  
5 the premise.

6 CHAIRMAN BOHL: Correct. And well - -  
7 And - - And he may not have been earlier, too,  
8 but the - - the fear indication is while there  
9 remained a specific corporate interest that he  
10 would have been a member of, there was a full  
11 legal dispute in which he clearly was not  
12 involved in the day-to-day operations.

13 MR. MITZ: That's correct.

14 CHAIRMAN BOHL: And this committee has  
15 taken testimony stating just that in the past, as  
16 well.

17 MR. MITZ: Thank you.

18 CHAIRMAN BOHL: Was there - - Go ahead.

19 THE APPLICANT: Going forward, I would  
20 just like to say that, first of all, you know, I  
21 appreciate your time, as well as the rest of the  
22 committee's. Basically, what we are trying to  
23 bring to this East side location is somewhat  
24 similar to what we had at the Onyx, which is an  
25 upper end fine dining food establishment at every

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1 license over. And that was pretty much the - -  
2 the end of that.

3 Item number six, relating to the two  
4 patrons who broke out in a fight. That was  
5 actually a verbal fight between two women. We  
6 escorted one of them out. Once she got outside,  
7 she still remained belligerent. So we called the  
8 police to make sure that nothing else escalated  
9 from that point on. Once the police arrived, we  
10 sent the other person out, and they broke up the  
11 fight. And that was the end of that.

12 This recklessly endangering people in  
13 item number seven, I wasn't there. At that time  
14 we had had an internal struggle, which we're  
15 still in now. And so we were dissolved.

16 CHAIRMAN BOHL: And for clarification  
17 of the committee, what he was referring to is  
18 that there was a legal dispute over ownership of  
19 the establishment.

20 THE APPLICANT: Yes.

21 CHAIRMAN BOHL: In which Mr. Brown was  
22 not involved in the day-to-day operation at the  
23 time. As part of the legal dispute the Mr.  
24 Obiora Obi was the gentleman who was involved in  
25 the day-to-day operations. And at that point you

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1 - - every day prices, Denny's, if you will. We  
2 want this - - this place, its decor to look more  
3 along the lines of something that you would find  
4 in a Las Vegas style nighttime establishment, but  
5 - - but affordable prices for everybody, as far  
6 as the food. This will be primarily a  
7 restaurant.

8 The - - The issue of the lounge  
9 component that we are planning to put in this  
10 location is, after speaking with the alderman,  
11 what we believe is what the primary concern is  
12 from, you know, people that are opposed to it.  
13 We'd like to be able to stand on our - - our  
14 history and our record, as far as that's concern.  
15 I have my mom, she's involved in it, in the day-  
16 to-day. She will be. It's a family venture this  
17 time around, as opposed to, you know, friends and  
18 - - and some of the same things that we had at  
19 the Onyx which kind of led to that break-up, I  
20 believe.

21 But we'd like to just be able to just  
22 stand on - - on our record, and - - and basically  
23 what we say we're going to do. A number of  
24 things that we say we're going to do is spread  
25 out in our lease. So we - - we will stand on

00025

1 what we say we're going to do. And I think our  
2 history basically predicts that we - - that we do  
3 what we say we're going to do.

4 This will be a 30 and over  
5 establishment during the nighttime activities,  
6 the lounge component, if you will on the  
7 weekends, primarily. And during the week it will  
8 be open for anybody, obviously, to come in and  
9 buy food. If I could compare it to any other  
10 establishment in Milwaukee, I would say it would  
11 be more along the line of, I don't know if you're  
12 familiar with Elsa's Restaurant downtown. It  
13 would be Elsa's with a dance floor, basically.

14 Our business plan calls for us to be  
15 able to throw different events, including poetry  
16 night, old school dancing, and also, different  
17 political functions, fundraisers, if you will,  
18 and also, live concerts, including jazz and R&B.  
19 That's pretty much a small synopsis of what we  
20 plan on bringing to - - to the East side  
21 location.

22 CHAIRMAN BOHL: Thank you. Are there  
23 questions by committee members? Thank you. Is  
24 there anything else that you wanted to add in  
25 terms of an opening at this point here, Mr. Mitz?

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1 MR. MITZ: No, your Honor. Thank you.

2 MS. BACON: There's something I'd like  
3 to add. I'm Marsha Bacon. I'm part of the LLC,  
4 member of the LLC, and our family - -

5 CHAIRMAN BOHL: And, Ms. Bacon.

6 MS. BACON: Can you hear me?

7 CHAIRMAN BOHL: If you could provide an  
8 address, as well, too.

9 MS. BACON: Yes. 4519 Pennington Lane,  
10 Racine, Wisconsin. 4519 Pennington Lane, Racine,  
11 Wisconsin 53403.

12 CHAIRMAN BOHL: Please proceed.

13 MS. BACON: As Marc stated, we are a  
14 family - - family business. We placed an  
15 application to establish a restaurant/lounge at  
16 the location on Farwell. As Marc mentioned, 30  
17 and over, you know, I'm obviously over 30. My  
18 associates, family members, friends would be  
19 frequent - - frequenting this establishment to  
20 enjoy the activities that will take place on the  
21 weekends, as well as enjoy the events that might  
22 occur at that time. We pride ourselves in not  
23 allowing anything other than what we've just  
24 stated that would happen or occur there. We  
25 still love to dance. We love to eat. But we

00027

1 don't cater to loud music, activities going on  
2 outside the establishment, such as loitering,  
3 causing any trouble. I just wanted to state, for  
4 the record, that we are a family run operation,  
5 and we intend to do exactly what our business  
6 plan outlines there. Thank you.

7 CHAIRMAN BOHL: Thank you. And for  
8 members, the - - the application, at least on  
9 page 91, the - - the provision for 30 years and  
10 up on the application is set for Thursday, Friday  
11 and Saturday evenings, with the other - - the  
12 other four days of the week not having the age  
13 restriction. And I assume that - - Is it a fair  
14 assumption to say that those, perhaps, are the  
15 nights where there is greater intention to have  
16 more of the nightclub or lounge atmosphere or - -  
17 or - -

18 THE APPLICANT: Yes. With the  
19 exception of Thursday. Thursday was a day we  
20 added, but as of right now we don't have any  
21 plans for Thursday, but it's actually the start  
22 of the weekend for most places. But, yeah,  
23 definitely with the lounge component being after  
24 nine p.m.

25 CHAIRMAN BOHL: Thank you.

00028

1 MR. KESSELMAN: Alderman - - Alderman  
2 Bohl, I'm with - - My name is John Kesselman with  
3 John Kesselman Real Estate. We represent the  
4 landlord and have operated this lease with - -  
5 for the - - for the facility. My office is at  
6 10620 North Port Washington Road in Mequon,  
7 Wisconsin.

8 CHAIRMAN BOHL: Sir, at this point if  
9 you're not part of the membership group who - -  
10 You are not part of the application, are you?  
11 Are you part of the LLC?

12 MR. KESSELMAN: No.

13 MR. MITZ: No, he's not.

14 CHAIRMAN BOHL: Okay. Then - - Then at  
15 this point right now, our rules actually  
16 stipulate that individuals who are opposed go  
17 first. So if you're here, I'm assuming, as a  
18 supporter of the application?

19 MR. KESSELMAN: Yes.

20 CHAIRMAN BOHL: Okay. And you're not  
21 part of the actual application itself, meaning  
22 you are not in the interest group, Silverstien,  
23 LLC. Is that correct?

24 MR. KESSELMAN: That's true.

25 CHAIRMAN BOHL: Are you a partner?

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1 MR. KESSELMAN: No.  
 2 CHAIRMAN BOHL: Okay. Then I will wait  
 3 for your testimony here, okay. All right, thank  
 4 you. Was there anything else in terms of an  
 5 opening with individuals who are part of the  
 6 interest group?  
 7 MR. MITZ: No.  
 8 CHAIRMAN BOHL: Sir, you are a member  
 9 of the LLC?  
 10 MR. BACON: That's correct.  
 11 CHAIRMAN BOHL: Okay. Your name and  
 12 address, please, for the record.  
 13 MR. BACON: It's Raymond Bacon. This  
 14 is my wife, Marsha. My address is 4519  
 15 Pennington Lane, and that's Racine, Wisconsin 530  
 16 - - 53403.  
 17 CHAIRMAN BOHL: Thank you, sir. Go  
 18 ahead.  
 19 MR. BACON: And I'd just like to say  
 20 that I've lived in Milwaukee since 1959. I've  
 21 lived on the East side, and I have my brother-in-  
 22 law also lives on the East Side. He's a  
 23 professional. And we really don't have many  
 24 places where we can go and feel welcome. And  
 25 that's why we are going forth with this venture.

00031

1 more than Smith or Jones, please spell that for  
 2 our Court Reporter, and, also, after you provide  
 3 your testimony, I would ask again that you remain  
 4 standing, remain seated until such time that I  
 5 dismiss you because there will be an opportunity  
 6 for questions. We are going to go on providing  
 7 two minutes. There will be a - - We will have a  
 8 timer here, and when it winds down, if you do  
 9 take additional time, I would then ask you to  
 10 wrap it up and - - and if you continue, then I  
 11 may ask you to stop. But if - - What we'll do is  
 12 just take your individual testimony. I just want  
 13 to remind members here in the audience that the  
 14 testimony that you provide must be your own  
 15 testimony. You cannot tell me that your  
 16 neighbors were here who were in support, or  
 17 neighbors were here opposed. If your neighbors  
 18 are not here, we're not taking their testimony.  
 19 That would be hearsay testimony. So it is  
 20 basically what you yourself personally believe,  
 21 personally have experienced, so on and so forth.  
 22 So, Mr. Plaisted, good morning to you. We'll  
 23 take your testimony first here, please.  
 24 THE WITNESS: Thank you, Mr. Chair. I  
 25 do have - -

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1 Agewise, it's beneficial to us. You know, we're  
 2 not hiphoppers. And basically, that's, you know,  
 3 that's - - that's why we don't see any need for  
 4 opposition to this. That's all I really have to  
 5 say.  
 6 CHAIRMAN BOHL: Thank you. Are there  
 7 questions committee members have? Thank you. A  
 8 this time what we're going to do is individuals  
 9 who are here that are opposed to the application  
 10 or portions of the application, we would ask that  
 11 those individuals come forward at this time. If  
 12 you could take a front row to my immediate right,  
 13 the front row seats. What we will do, and we're  
 14 going to ask that we proceed in an orderly  
 15 fashion. We'll take in order. Again, if you are  
 16 unable to physically stand at the microphone,  
 17 please let me know. We will have an individual  
 18 relinquish one of the seats in the front row.  
 19 But you would have to indicate that to me,  
 20 because I will not know otherwise.  
 21 Again, to reiterate. Name and address  
 22 for the record. A spelling of your name.  
 23 Please, if you - - If you know that anyone for  
 24 any ever reason ever questioned you for the  
 25 spelling of your name because it was something

00032

1 COURT REPORTER: Would you state your  
 2 name, please?  
 3 THE WITNESS: Sure. Jim Plaisted, P-L-  
 4 A-I-S, as in Sam, T-E-D. 2122 North Prospect  
 5 Avenue.  
 6 I have a, I'll call it, a memorandum  
 7 for the committee to consider. I just handed one  
 8 to Mr. Mitz.  
 9 MR. MITZ: Thank you.  
 10 CHAIRMAN BOHL: Before we even begin  
 11 with you here, we'll have Alderwoman Coggs move  
 12 to make this one page memorandum provided Mr.  
 13 Plaisted in the East Side Business Improvement  
 14 District part of our official record in this  
 15 proceeding. Are there any objections to that?  
 16 Hearing none, so ordered.  
 17 THE WITNESS: Thank you.  
 18 CHAIRMAN BOHL: Okay. Please continue.  
 19 THE WITNESS: Mr. Chair, members,  
 20 thanks for the opportunity to speak. My name is  
 21 Jim Plaisted. I'm Executive Director for two  
 22 organizations in this area. One is the East Side  
 23 Business Improvement District. This property is  
 24 not part of that business improvement district  
 25 property tax base. And also, the East Side



00033

1 Association, which is a membership organization,  
 2 mostly businesses in the general area from - -  
 3 from Lafayette to the northern part of the North  
 4 Avenue Business District, west to the river, east  
 5 to Columbia St. Mary's.  
 6 We met with the applicants on January  
 7 14th. They came to an East Side Membership  
 8 Association meeting. We had a very good  
 9 discussion with the group. There were roughly 20  
 10 members of our association there at that meeting.  
 11 There was a good give and take. We did not take  
 12 a vote at that meeting, because as the meeting  
 13 dragged on we had some other matters on the  
 14 agenda. We lost several members and decided not  
 15 to vote. We didn't meet last week. We did not  
 16 invite the applicant because we didn't really  
 17 need to hear from the applicant. We are a  
 18 private membership organization. But we did meet  
 19 and discuss the position of the group, as far as  
 20 a membership organization, on - - on this  
 21 application. We took a vote at that meeting, the  
 22 ten members that were present - - present at that  
 23 meeting. The vote was ten - - ten to zero  
 24 against the Class "B" Tavern Dance application  
 25 part of this - - this group's business plan. And

00034

1 I'll get to that in a moment.  
 2 What I've distributed to you is  
 3 something the applicant, at least an e-mail to me  
 4 has been confused about our position why we might  
 5 oppose such an operation. What I've distributed  
 6 to you is a consistent position that my  
 7 organization has taken on new licensed activity  
 8 within - - within the parameters of the East Side  
 9 Associate - - Association area since 2000. I've  
 10 been with the organization since 1999. And I  
 11 don't want to read this verbatim. You have it in  
 12 front of you and - - and the applicants have it  
 13 in front of you. But we have been very  
 14 consistent communicating to existing property  
 15 owners, new development, potential tenants, that  
 16 we do not support, in general, new licenses for  
 17 tavern or nightclub operations.  
 18 CHAIRMAN BOHL: Mr. Plaisted, I'm going  
 19 to ask you just to wind this down here now,  
 20 unfortunately.  
 21 THE WITNESS: Sure. The - - The  
 22 concerns we have specifically to this, to this  
 23 application, and again, the tavern dance, are  
 24 simply the concentration outlets in the area. We  
 25 have roughly over 35 Class "B" tavern licenses

00035

1 within the boundaries I - - I explained earlier.  
 2 This has nothing to do with these folks as  
 3 operators, with these folks as people. It has  
 4 everything to do with the 6,000 square foot space  
 5 that if - - if it fills up with an occupancy of  
 6 what should be north of 200, it will have  
 7 additional impacts that our nightlife district  
 8 already has in the area, and the residents are  
 9 going to tell you about that. We're sensitive to  
 10 that. We're trying to diversify the retail mix  
 11 on the East side. We don't want to continue to  
 12 highlight the notion that the East side is  
 13 nothing but an entertainment and nightlife  
 14 district. This is in - - this application would  
 15 add to what we already have. And we know that  
 16 there is nuisance activity that's related to the  
 17 intensity of the uses that we have in the  
 18 neighborhood. It's not criminal, but it's noise.  
 19 It's parking. It's litter. It's fights in the  
 20 street that happen because of the intense level  
 21 of activity in our neighborhood. This  
 22 application on the tavern dance side just  
 23 expounds on that.  
 24 CHAIRMAN BOHL: Thank you. Questions  
 25 by committee members?

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1 ALDERMAN KOVAC: Mr. Chair.  
 2 CHAIRMAN BOHL: Alderman Kovac.  
 3 ALDERMAN KOVAC: So the - - I had a  
 4 staffer at that meeting. I was not there  
 5 personally. I was there for the first meeting  
 6 when the applicant was there, but not for the  
 7 meeting you had last week. You voted ten-0  
 8 against the tavern dance. Did you take a vote on  
 9 the Class - - underlying Class "B" or - - or  
 10 what's the status of your position on that, the  
 11 groups?  
 12 THE WITNESS: We - - We did vote on a  
 13 Class "B" tavern for the restaurant operation,  
 14 which we do not have an issue with.  
 15 ALDERMAN KOVAC: Okay.  
 16 THE WITNESS: But it was in their  
 17 favor.  
 18 CHAIRMAN BOHL: Other questions by  
 19 committee? Mr. Mitzi, are there any questions  
 20 that you have of this witness?  
 21 MR. MITZ: Yes, I do. Thank you very  
 22 much. I'll - - I'll be very brief. Mr.  
 23 Plaisted, your organization is not in any way  
 24 associated with this committee or the City of  
 25 Milwaukee officially. Is that correct?

00037

1 THE WITNESS: Correct.  
 2 MR. MITZ: You have - -  
 3 ALDERMAN KOVAC: Well, BIDs are  
 4 authorized by the City, it should be - -  
 5 THE WITNESS: This - - This was - - The  
 6 vote was by the East Side Association private  
 7 membership.  
 8 MR. MITZ: That's what I asked him.  
 9 ALDERMAN KOVAC: I just wanted to say,  
 10 BIDs are - - BID board members are appointed by  
 11 the Mayor, approved by the Council, and then they  
 12 can have an Executive Director or not. So it is  
 13 - - There's an extra property tax on the East  
 14 side. I just want to be clear on that issue,  
 15 that BIDs are - - They have some relationship,  
 16 some formal relationship with the City.  
 17 MR. MITZ: But you don't make decisions  
 18 on licenses. Correct?  
 19 THE WITNESS: Do we make decisions on  
 20 licenses?  
 21 MR. MITZ: Yeah. You have no official  
 22 authority. Correct?  
 23 THE WITNESS: No.  
 24 MR. MITZ: Okay. That's my point.  
 25 Thank you. Second of all, do you have members in

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1 your group that hold liquor licenses?  
 2 THE WITNESS: Sure.  
 3 MR. MITZ: And do you have members in  
 4 your group that hold liquor license with cabaret  
 5 licenses?  
 6 THE WITNESS: Cabaret?  
 7 MR. MITZ: Yeah.  
 8 THE WITNESS: Is that the - -  
 9 ALDERWOMAN COGGS: That is a separate  
 10 license.  
 11 ALDERMAN KOVAC: You mean, dance.  
 12 tavern/dance. Are you talking about dance?  
 13 THE WITNESS: Yeah, I think you're  
 14 talking about dance.  
 15 MR. MITZ: Yes. We call it cabaret.  
 16 CHAIRMAN BOHL: Well, actually, no.  
 17 There's a distinction. There is a Class "B"  
 18 tavern. There's a Class "B" tavern and dance.  
 19 And there's a cabaret. A cabaret may have some  
 20 overlap with a tavern dance, but it is - - It  
 21 allows for many other venues beyond what a tavern  
 22 dance license. They're only applying for a  
 23 tavern dance here. You're literally talking  
 24 about, instead of the Chevy, you're - - you're  
 25 throwing the Cadillac in after.

00039

1 MR. MITZ: I want to throw everything  
 2 in.  
 3 CHAIRMAN BOHL: Okay.  
 4 MR. MITZ: I don't want to be limited.  
 5 That's what I'm getting at. Thank you very much.  
 6 THE WITNESS: There are live music and  
 7 dance permits in the area.  
 8 MR. MITZ: Right. So you - - You have,  
 9 without me being specific, and we don't have to  
 10 worry about terms, but as the Alderman said, you  
 11 have members that have a variety of licenses.  
 12 THE WITNESS: Right.  
 13 MR. MITZ: Correct? And those people  
 14 are in existence today?  
 15 THE WITNESS: Correct.  
 16 MR. MITZ: And they follow the law?  
 17 THE WITNESS: To my knowledge.  
 18 MR. MITZ: Do you have any basis to say  
 19 that my clients won't follow the law?  
 20 THE WITNESS: No. I believe I  
 21 testified to that.  
 22 MR. MITZ: Now, did you, when you had  
 23 20 people there, was that this organization, same  
 24 organization that took the - - the vote?  
 25 THE WITNESS: Yes.

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1 MR. MITZ: But you didn't take the vote  
 2 when you had 20 there. Right?  
 3 THE WITNESS: No.  
 4 MR. MITZ: You took the vote when you  
 5 had ten people there?  
 6 THE WITNESS: Yes.  
 7 MR. MITZ: Now, are you saying that - -  
 8 that the tax payers for the City of Milwaukee  
 9 don't have a right to choose which establishments  
 10 they want to go to, and instead, you want to make  
 11 a recommendation as to which establishments they  
 12 can go to and which they can attend?  
 13 THE WITNESS: That was a rhetorical  
 14 question in my mind.  
 15 MR. MITZ: Can you answer it?  
 16 Otherwise, I'll rephrase it.  
 17 THE WITNESS: No, I won't.  
 18 MR. MITZ: Okay. Don't you think the  
 19 City of Milwaukee residents, taxpayers have a  
 20 right to - - to determine which operation, which  
 21 licensee they wish to attend and - - and pay  
 22 their money to?  
 23 THE WITNESS: Attorney Mitz, I  
 24 represent an organization that has taxed  
 25 themselves over and above what normally are taxed

00041

1 commercial properties in this area. 1.8 million  
2 dollars since 2000. I think they have a right to  
3 control and influence the decisions of what  
4 happened on property, what happened inside a  
5 property, and when licenses come up, they're a  
6 privilege and not a right. And that's what I  
7 reflect here today. And that's what the memo  
8 outlines that we have been consistent in that  
9 position.

10 MR. MITZ: As opposed to letting the  
11 taxpayer make their own decisions.

12 THE WITNESS: If the taxpayer is making  
13 their own decision, then all bets are off.

14 MR. MITZ: Thank you.

15 THE WITNESS: We can open 100 taverns  
16 on North Avenue tomorrow.

17 MR. MITZ: Well, don't you - -

18 CHAIRMAN BOHL: No, no, no. Please - -  
19 Please, both - - both parties. I don't want to  
20 hit the gavel. Okay. When I call time, it's  
21 time. Ultimately, I think that the line of  
22 questioning has delved outside of his testimony  
23 here. He's here representing an organization and  
24 for their interest strictly providing an opinion  
25 to this committee, okay. He's not speaking for

00042

1 others. So are you finished with your line of  
2 questioning of him?

3 MR. MITZ: Thank you very much.

4 CHAIRMAN BOHL: Okay. Thank you.

5 Thank you, Mr. Plaisted.

6 ALDERWOMAN COGGS: Mr. Chair. I have a  
7 question of Mr. Plaisted.

8 CHAIRMAN BOHL: Alderwoman Coggs.

9 ALDERWOMAN COGGS: So did I hear you  
10 correctly in saying that this location is  
11 actually outside of the parameters of your BID?

12 THE WITNESS: Of the BID district.

13 ALDERWOMAN COGGS: Of the BID district.

14 THE WITNESS: However, I would point  
15 out that we are - -

16 ALDERWOMAN COGGS: That's all. Thank  
17 you.

18 THE WITNESS: We are directly across  
19 the street.

20 ALDERWOMAN COGGS: Thank you. That is  
21 all. Thank you.

22 CHAIRMAN BOHL: All right.

23 THE WITNESS: It happened four years  
24 ago. It happened - -

25 ALDERWOMAN COGGS: That is all. Thank

00043

1 you.

2 CHAIRMAN BOHL: Thank you. Thank you  
3 for your testimony, Mr. Plaisted. Next witness,  
4 please.

5 THE WITNESS: Good morning. My name is  
6 Karen Hunt, H-U-N-T. And I'm an elected board  
7 member of the East Bank Neighborhood Association.  
8 This is the residential association that butts up  
9 to the proposed business location in question.

10 CHAIRMAN BOHL: And, Ms. Hunt, we'll  
11 need an address for that, please.

12 THE WITNESS: 1956 North Oakland  
13 Avenue.

14 CHAIRMAN BOHL: Thank you. Please  
15 proceed.

16 THE WITNESS: Alderpeople, please note  
17 that our position, we've made our position known  
18 to Mr. Brown. And none of what I present to you  
19 should be a surprise to him. As residents whose  
20 neighborhood will be directly affected, we are  
21 opposed to granting his enterprise, a dance and  
22 tavern license.

23 I'd like to take issue with a couple of  
24 the assertions that Mr. Brown has made through  
25 various correspondences. First off, while it may

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1 be true that he and his brother canvassed door to  
2 door the area to the east and south of his  
3 proposed establishment, this area is largely  
4 represented by transient housing units. It is  
5 curious to note that he and his brother did not  
6 canvas the area one to ten blocks directly to the  
7 west and south of the site. This area is  
8 comprised of 90 percent taxpaying, owner-occupied  
9 housing units with residents who are raising  
10 families and living otherwise quiet and peaceful  
11 lives. I have three children in my home. My  
12 next door neighbor and his wife will soon be  
13 celebrating the first birthday of their child.  
14 The President of our association and her husband  
15 will welcome their first born into the  
16 neighborhood in a few short weeks. Other  
17 neighbors are retired and enjoy their  
18 grandchildren visiting or are successful business  
19 people who enjoy the unique composition of our  
20 neighborhood. It is a small little anomaly of an  
21 area of the City in which suburban type  
22 activities exist within the City. We embrace  
23 business development that reflects - -

24 CHAIRMAN BOHL: I'm going to ask you to  
25 please close this up here.

00045

1 THE WITNESS: We embrace business  
2 activity that reflects the family orientation  
3 that attracted us to this neighborhood. We are  
4 not opposed to development. However, the idea  
5 that Mr. Brown's business adventure will rely  
6 heavily on his ability to conduct two nights a  
7 month lounge-like activities suggests that this  
8 will be a focus of his business. If he - - He  
9 says two nights per month. But if his  
10 projections - -

11 CHAIRMAN BOHL: Thank you.

12 THE WITNESS: - - fall short - -

13 CHAIRMAN BOHL: And I will apologize in  
14 advance. I announced two minutes. I'm going to  
15 let folks know in advance this much. When you  
16 are given a limited duration of time, go with  
17 your gusto immediately. Okay.

18 THE WITNESS: Okay.

19 CHAIRMAN BOHL: And it's only in  
20 fairness. When I give you a wrap up, I'll give  
21 you a duration of time, but I'm not going to give  
22 individuals another two minutes. Because,  
23 otherwise, if I give you two minutes, then the  
24 individuals who are here in support are going to  
25 say, you can't stop me at two minutes. You gave

00046

1 her four. And if that's the case, there's no  
2 point in - - in our setting an allotment of time.  
3 So we're going to ask people to be concise. If  
4 you substantially agree with what the person  
5 before you said, if somebody came up and said,  
6 we're concerned about loud noise, littering,  
7 loitering. Say I'm concerned about the same  
8 things that were already stated. I just want to  
9 say that not just for you, Ms. Hunt, but for  
10 everyone here in the audience, okay. Lead with  
11 your best stuff. Try to keep it concise. And I  
12 understand the situation, but, you know, when - -  
13 when you delve above and beyond into other areas  
14 and make it personal and you have every right to  
15 do that with your time, you may not be able to  
16 get to the point you want to state. Okay. So  
17 I'm not going to - - It is what it is. Please  
18 everyone know in advance, the limitations.  
19 Questions by committee at this time.

20 ALDERWOMAN COGGS: Mr. Chair.

21 CHAIRMAN BOHL: Alderwoman Coggs.

22 ALDERWOMAN COGGS: You said the East  
23 Bank Resident Association abuts this location.  
24 This location is 2116 North Farwell. Exactly  
25 where does it abut?

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1 THE WITNESS: We're just across the  
2 street is our actual designated area. So we  
3 would encompass all businesses that are west on  
4 Farwell, but not east on Farwell. So directly  
5 across the street, all the way up to North  
6 Avenue, pretty close down to Brady Street. And  
7 then over to Cesar's Park area.

8 ALDERWOMAN COGGS: Thank you.

9 CHAIRMAN BOHL: Are there any other  
10 questions by committee?

11 ALDERMAN KOVAC: Mr. Chair.

12 CHAIRMAN BOHL: Alderman Kovac?

13 ALDERMAN KOVAC: Just for clarity sake,  
14 I might want to point out that this particular  
15 location is kind of in between a couple different  
16 business groups and a couple different  
17 neighborhood groups. You know, it's just - -  
18 it's just one block south of the North Avenue  
19 BID. It's a few blocks north of Brady Street.  
20 And then it's sort of on the boundary between the  
21 East Bank Neighborhood and what's sometimes  
22 called the Prospect Avenue Corridor area. So I  
23 always ask applicants to meet with neighbor  
24 groups. In some cases when you're right in the  
25 middle of one, it's easy just go meet with them.

00048

1 In this case, did a little more legwork on the  
2 applicant's side of things, I think, because  
3 there have been a couple different groups. And  
4 on - - And on the group's side of things. So I  
5 think they only formally met with the North  
6 Avenue BID. But some of these other groups  
7 attended that meeting. So the meeting actually  
8 had more than 20 people at it in January, but  
9 only I think 20 of them were actual BID members,  
10 just for clarity's sake. So I know there's some  
11 other groups here that are - - that are nearby,  
12 and frankly, this is a situation that will affect  
13 everybody nearby, and it's not a clear boundary  
14 who is who.

15 CHAIRMAN BOHL: Thank you for that  
16 clarification. Any questions for this witness?

17 MR. MITZ: Thank you very much. Ms.  
18 Hunt - -

19 CHAIRMAN BOHL: Mr. Mitz. You will  
20 have to use the - - the standing microphone.  
21 Otherwise, we - - audibly - - We, not only do we  
22 utilize this service, we also have it on tape.  
23 If I'm talking here, no one hears it on tape, and  
24 we may not get it perfectly here. Also, for you,  
25 any questions you direct, if you could direct

00049

1 them to the Chair, I will ask her to answer those  
2 questions. That is very clearly outlined in our  
3 City code that you must direct the question to  
4 the Chair.

5 MR. MITZ: Okay.

6 CHAIRMAN BOHL: So if you can turn that  
7 - - that to her. You could direct it to the  
8 Chair and utilize your standing microphone,  
9 please.

10 MR. MITZ: How's this? Mind if I do  
11 this?

12 CHAIRMAN BOHL: Please, that's fine.

13 MR. MITZ: Thank you. Ms. Hunt, is  
14 that correct?

15 THE WITNESS: Yes.

16 MR. MITZ: Can you - - We have an  
17 exhibit here. Do you mark exhibits here?

18 CHAIRMAN BOHL: Yes.

19 MR. MITZ: Okay.

20 CHAIRMAN BOHL: Are you - - Are you  
21 wishing to provide that?

22 MR. MITZ: Yes.

23 CHAIRMAN BOHL: As part of the record?

24 Okay.

25 MR. MITZ: Yes, I do.

00050

1 CHAIRMAN BOHL: We will have - - You -  
2 - You can continue to utilize it. We'll just  
3 have Alderwoman Cogg's move to make a - - a, what  
4 I'll say, is a geographic rendition of the  
5 particular area around the application - - around  
6 this application, part of our official record in  
7 this proceeding. Are there any objections to  
8 that? Hearing none, so ordered. You can  
9 continue to utilize it. We'll - - We'll get it  
10 as part - - as an exhibit here. Go ahead.

11 MR. MITZ: Thank you. Ms. Hunt, we  
12 have what we commonly call a Google Map here.  
13 And for point of reference, all of these push-  
14 pins with the white and the red in the center is  
15 the location of the business.

16 CHAIRMAN BOHL: Mr. Mitz.

17 MR. MITZ: Yeah.

18 CHAIRMAN BOHL: You actually can pick  
19 up that microphone and hold it in your hand.

20 MR. MITZ: All right. Can you show us  
21 on this map or want to ask her, where your house  
22 is located, please?

23 THE WITNESS: It is located, it would  
24 be right, this is - - Where is Lafayette?  
25 It's - -

00051

1 MR. MITZ: This is - - This is a trail.

2 This is Oakland Avenue.

3 THE WITNESS: That would be North here.

4 It would be somewhere, not on this map, but like  
5 a few blocks over here.

6 MR. MITZ: So if for point - -

7 THE WITNESS: If this includes - - It  
8 would be right here. This is Lafayette.

9 MR. MITZ: So the witness is indicating  
10 that - - And correct me if I'm wrong, you're - -

11 THE WITNESS: One, two, three, four - -  
12 four blocks away from this place, but not on the  
13 map.

14 CHAIRMAN BOHL: Now if I - - If I may,  
15 what I want to do is just keep her back at the  
16 microphone for the same - - very same reason I'm  
17 asking you to do that. She's running off here.  
18 So if you wish to do that, again, please allow me  
19 to direct her to go over there.

20 MR. MITZ: I didn't tell her to come  
21 up. And I don't mean to usurp your power. I  
22 apologize.

23 CHAIRMAN BOHL: But I don't know that  
24 she would know other - -

25 THE WITNESS: I can't - -

00052

1 CHAIRMAN BOHL: Ma'am, if I - - If I  
2 may, because I - - I like to think that I'm  
3 running the show as the Chairman of the  
4 committee, but - - That means you, too, Mr. Mitz,  
5 okay.

6 MR. MITZ: Certainly.

7 CHAIRMAN BOHL: Otherwise I don't know  
8 that she was going to be able to see that  
9 adequately from the distance of eight to ten  
10 feet. So she obviously was going to come or you  
11 were going to have to hand it to her. Okay.

12 MR. MITZ: Okay.

13 CHAIRMAN BOHL: Please, once you - -  
14 you do that, I will try to direct how this  
15 happens. We must keep this on tape. That is  
16 why I try to do that. Okay.

17 MR. MITZ: Thank you.

18 CHAIRMAN BOHL: Thank you. You may  
19 continue, sir.

20 MR. MITZ: Thank you. So - -

21 THE WITNESS: And if this is - - I  
22 don't know if it got taped, but my house is four  
23 blocks away from the stated location or proposed  
24 location, but not shown on your map.

25 MR. MITZ: Thank you.

00053

1 CHAIRMAN BOHL: Thank you.  
 2 MR. MITZ: On this map there is an  
 3 indication of a North Avenue Street. Can you see  
 4 that?  
 5 THE WITNESS: Yes, I can.  
 6 MR. MITZ: Okay. On that street there  
 7 are four red pins. Do you recall that a fire  
 8 took place at that location?  
 9 THE WITNESS: Yes, I do.  
 10 MR. MITZ: Okay. And those locations  
 11 are not there anymore. Is that correct?  
 12 THE WITNESS: I understand they're  
 13 going to be redeveloped.  
 14 MR. MITZ: But at this point they're  
 15 not there. Is that right?  
 16 THE WITNESS: Right. It was an  
 17 unfortunate experience.  
 18 MR. MITZ: It certainly was. Now,  
 19 there are other bars, restaurants in this area  
 20 that are reflected on this map. Although, your  
 21 home is not reflected on this map. Is that  
 22 correct?  
 23 THE WITNESS: Correct.  
 24 MR. MITZ: But there are other bars and  
 25 restaurants located on this map.

00054

1 THE WITNESS: Yes, there are.  
 2 MR. MITZ: And those bars and  
 3 restaurants that are there, they obey the law,  
 4 don't they, to the best of your knowledge?  
 5 THE WITNESS: I - - Yes, to the best of  
 6 my knowledge.  
 7 MR. MITZ: Do you have any reason to  
 8 believe that my clients would not obey the law?  
 9 THE WITNESS: I have none.  
 10 MR. MITZ: Are you aware that my  
 11 clients are going to have parking available for  
 12 almost 200 cars next to their premises?  
 13 THE WITNESS: I did read that in some  
 14 correspondence.  
 15 MR. MITZ: And are you aware they're  
 16 going to have valet parking, as well?  
 17 THE WITNESS: I don't see how that's  
 18 relevant.  
 19 MR. MITZ: I'm not asking you if it's  
 20 relevant. Do you know that, whether or not that  
 21 they're going to have that?  
 22 THE WITNESS: I suppose if that's part  
 23 of their business plan.  
 24 MR. MITZ: Do you know whether any  
 25 other bars, restaurants, establishments - -

00055

1 THE WITNESS: No, me and my children  
 2 do - -  
 3 MR. MITZ: - - in that - -  
 4 THE WITNESS: - - not often go to many  
 5 of the bars in the area.  
 6 MR. MITZ: Do you know whether or not  
 7 those other establishments that we have indicated  
 8 on this map have parking available for them?  
 9 THE WITNESS: Again, me and my children  
 10 do not often attend the bars in the areas, so - -  
 11 MR. MITZ: Okay. Thank you very much.  
 12 THE WITNESS: - - they don't - - No.  
 13 MR. MITZ: Thank you.  
 14 CHAIRMAN BOHL: Thank you. Thank you  
 15 for your testimony. Sir, we'll need your name  
 16 and your address for the record, please.  
 17 THE WITNESS: My name is - - Excuse me  
 18 - - My name is Paul Votto. That's spelled V, as  
 19 in Victor, O-T-T-O. My home address is 3110  
 20 Parkside Drive in Brookfield. Our business  
 21 address is 757 North Water Street in Milwaukee.  
 22 I am here representing Dermond Property  
 23 Investments. We're the developers of Latitude  
 24 Apartments at 1857 East Kenilworth, which is the  
 25 corner of Kenilworth and Farwell, about a half a

00056

1 block from the proposed establishment.  
 2 We appear here today to oppose the  
 3 granting of the license for the uses as described  
 4 in the application. Our development represents  
 5 an investment of well over 12 million dollars and  
 6 certainly will pay a considerable amount of real  
 7 estate taxes. It's an investment just - - not  
 8 just in real estate, but in a neighborhood.  
 9 Dermond Property Investments intends to own and  
 10 operate Latitude for many years to come.  
 11 In selecting this location we looked  
 12 for a place that - - where people could live  
 13 safely and comfortably but still have access to  
 14 shopping, dining and services. In evaluating the  
 15 location we certainly looked hard at the number  
 16 of taverns and nightspots and other entertainment  
 17 venues in the area. We saw that as a positive,  
 18 but we also wanted to make sure there was a  
 19 proper balance between the various business uses  
 20 and residential uses. We are encouraged by the  
 21 investments of Whole Foods, Columbia St. Mary's,  
 22 et cetera. We were also encouraged by the  
 23 neighborhood BID in their continuing to maintain  
 24 this balance. And they've been consistent in  
 25 their message to us, as to the types of uses they

00057

1 would like to see in our first floor retail  
 2 space. We have 7500 square feet of first floor  
 3 retail. And they've been very consistent about  
 4 what they don't want to see, namely, top of their  
 5 list, they do not want to see a large nightclub.  
 6 That's our opposition, frankly. We're - - We're  
 7 opposed to a large, what appears to be, the best  
 8 we can tell, a large nightclub operation. We're  
 9 not opposed to - - to - - to a license for, you  
 10 know, restaurant and - - and that sort of thing.  
 11 In the information that we've been provided by  
 12 the applicant, there seems to be considerable  
 13 talk about a restaurant, but, in fact, we're not  
 14 really clear about just from the information  
 15 we've received, how a restaurant can be operated  
 16 as upscale and opulent but offering Denny's  
 17 pricing.  
 18 Moreover it's difficult to see how the  
 19 applicant will be operating an upscale and  
 20 opulent restaurant when either they nor the  
 21 landlord are investing much of anything in the  
 22 facility. The applicant's own written materials  
 23 tell us that the landlord is delivering the space  
 24 as is, and is doing no work, and the tenant is  
 25 doing minimal work. In fact, the work involves

00058

1 only some paint, some curtains and awnings, et  
 2 cetera.  
 3 CHAIRMAN BOHL: Finish.  
 4 THE WITNESS: So frankly, we oppose the  
 5 - - the large nightclub aspects of this and - -  
 6 and that is our reason for being here today.  
 7 Thank you.  
 8 CHAIRMAN BOHL: Thank you. Questions  
 9 by committee? Mr. Mitz, questions of this - -  
 10 MR. MITZ: Yes, thank you. What is the  
 11 name of the group that you represent, sir?  
 12 THE WITNESS: It's Dermond Property  
 13 Investments.  
 14 MR. MITZ: Did you - - Did your company  
 15 or you, personally, or anyone that you represent  
 16 ever put a bid in on the building that this  
 17 proposed location is at?  
 18 THE WITNESS: No, I don't think - -  
 19 It's possible, but not that I'm aware of.  
 20 MR. MITZ: How about for lease or  
 21 purchase?  
 22 THE WITNESS: Not that I'm aware of.  
 23 MR. MITZ: I'm holding up the same  
 24 exhibit here, which is a map. Can you show where  
 25 your building is on this map?

00059

1 THE WITNESS: May I?  
 2 CHAIRMAN BOHL: Yes. Do not - - You  
 3 can point with your finger, and then you go back  
 4 to the microphone, please.  
 5 MR. MITZ: You've indicated - - You've  
 6 indicated a location towards the middle of this  
 7 map on Farwell, you're 2171?  
 8 THE WITNESS: We're an L-shaped piece  
 9 of property, sir, that if you could take your  
 10 finger to the right slightly, to the corner,  
 11 right there. Starting there and then if you  
 12 basically go to your left and then down towards  
 13 the trail, that would be our property.  
 14 MR. MITZ: Towards the center of this  
 15 map. Am I correct?  
 16 THE WITNESS: It's right there. I  
 17 don't know if you'd describe it as the center or  
 18 not. It's right where you're pointing.  
 19 MR. MITZ: I've got a blue push-pin.  
 20 Tell me where I should put it on this map. Right  
 21 here?  
 22 THE WITNESS: If you put it right  
 23 there, you will be on the east end of our  
 24 building, sir.  
 25 MR. MITZ: Did you make any effort to

00060

1 contact Mr. Brown to ask him if you could go in  
 2 and see the premises themselves?  
 3 THE WITNESS: No, sir, I did not.  
 4 MR. MITZ: Did you ever make an effort  
 5 to call Mr. Brown and ask him what he was going  
 6 to do with the premises specifically as to your  
 7 concerns as to not being a restaurant but, in  
 8 fact, being a nightclub?  
 9 THE WITNESS: No, sir. We just looked  
 10 at the information he provided for us.  
 11 MR. MITZ: I have nothing further.  
 12 Thank you.  
 13 CHAIRMAN BOHL: Thank you for your  
 14 testimony. Next witness, please.  
 15 THE WITNESS: Jim Krzewinski, K-R-Z-E-  
 16 W-I-N-S-K-I. I'm a resident at 1562 East Irving  
 17 Place. I-R-V-I-N-G. And I oppose the A-1  
 18 applicant for the bar restaurant nightclub  
 19 position for the reasons that were - - have  
 20 already been stated regarding lack of provided  
 21 parking for the occupancy that it appears that  
 22 the A-1 is applying for. Also, with the  
 23 neighborhood parking and nightlife to be  
 24 escalated to prone to potential actions that take  
 25 place at - - at dance clubs such as that. That's

00061

1 it.  
 2 CHAIRMAN BOHL: Thank you. Thank you  
 3 for your brevity. Questions by committee of this  
 4 witness? Mr. Mitz, are there questions you have  
 5 of this witness?  
 6 MR. MITZ: Yes, thank you. Very  
 7 briefly. I'm going to hold up this map. Can you  
 8 identify, the Chairman said you can walk forward,  
 9 point, and I'll put a pin, but don't talk. So,  
 10 again, it's off the map. Is that correct? Okay.  
 11 Thank you.  
 12 CHAIRMAN BOHL: Approximately how - -  
 13 how far in terms of blocks do you - -  
 14 THE WITNESS: Two and a half blocks.  
 15 CHAIRMAN BOHL: Two and a half blocks.  
 16 You are two and a half blocks further to the  
 17 south. Is that - - Would that be fair?  
 18 THE WITNESS: Two blocks south, one  
 19 block west.  
 20 CHAIRMAN BOHL: Okay.  
 21 MR. MITZ: Are you aware that there is  
 22 going to be available to this restaurant lounge  
 23 some 200 parking spots?  
 24 THE WITNESS: I'm aware of the parking  
 25 that's available on that property, which is about

00062

1 40. And then, also, with the information you  
 2 provided of about another 40 parking spots that  
 3 you're going to be renting from a laboratory  
 4 business, which is actually further from that - -  
 5 from that business.  
 6 ALDERMAN KOVAC: Mr. Chair, could I - -  
 7 could I jump in on this point? I just want to be  
 8 clear, because I've heard that - - One of my  
 9 conversations with the applicants, they're  
 10 looking to negotiate with Thermo Fisher on spots.  
 11 Has anything been negotiated?  
 12 THE APPLICANT: Yes.  
 13 MR. MITZ: Yes.  
 14 ALDERMAN KOVAC: What's been  
 15 negotiated?  
 16 THE APPLICANT: Well, I can speak to  
 17 that, sir. Basically, there's upwards of 110  
 18 spots that you well know right across the street  
 19 from our business. And we can have as many or as  
 20 less as we want. It's really just up to us. We  
 21 requested all of them, but right now we're  
 22 negotiating rate and the days. We also have  
 23 upward - -  
 24 ALDERMAN KOVAC: Thermo Fisher told you  
 25 you could have as many spots as you want?

00063

1 THE APPLICANT: Yeah, as our night  
 2 activities would take place after nine p.m.  
 3 Obviously everybody that works in the day will be  
 4 gone by that time, and - -  
 5 ALDERMAN KOVAC: Do you have that in  
 6 writing yet?  
 7 THE APPLICANT: What?  
 8 ALDERMAN KOVAC: Do you have anything  
 9 in writing on that?  
 10 THE APPLICANT: I don't have it with  
 11 me, but, yeah, we're still in nego - -  
 12 MS. BACON: Negotiations. It's in  
 13 negotiations.  
 14 THE APPLICANT: The gentleman's name we  
 15 spoke to was Nathaniel Blast.  
 16 ALDERMAN KOVAC: So you're still  
 17 negotiating. You haven't - - Okay.  
 18 THE APPLICANT: Well, no, actually  
 19 we're not still negotiating whether or not we can  
 20 have the parking. The parking is - - is  
 21 available to us. All that we're negotiating is  
 22 how many and the days and the rate. And that's  
 23 going to be based on the - - the days, you know,  
 24 we won't know the exact days until after we get  
 25 the license.

00064

1 ALDERMAN KOVAC: So you - - you've been  
 2 verbally talking to Thermo Fisher.  
 3 THE APPLICANT: Verbally and via e-  
 4 mail.  
 5 ALDERMAN KOVAC: But I don't have any  
 6 correspondence from them. I don't have - - that  
 7 I'm aware of. It could be. I mean, are they - -  
 8 are they in support of this?  
 9 THE APPLICANT: I could forward them to  
 10 you. I mean, yeah, they - - they definitely are  
 11 interested in renting that lot out at a time  
 12 where they're not utilizing it.  
 13 ALDERMAN KOVAC: Right. Are they then,  
 14 based on that possibility, are they in support of  
 15 this license? I haven't gotten any word from  
 16 them or - -  
 17 THE APPLICANT: They want - - They want  
 18 to rent us their lot. I mean, I couldn't - -  
 19 MR. MITZ: If they're going to rent  
 20 the spaces for that, I would think they'd want  
 21 them to be in business.  
 22 ALDERMAN KOVAC: Well, I mean, I - - I  
 23 mean, I don't want to - - I don't want you to  
 24 speak for them. That's why - -  
 25 THE APPLICANT: Well, that's why I'm



00065

1 trying not to, but, you know - -  
 2 ALDERMAN KOVAC: Right.  
 3 THE APPLICANT: - - answer that  
 4 question, but to answer the question about the  
 5 lot.  
 6 ALDERMAN KOVAC: They haven't done  
 7 anything formal yet, but you've been having  
 8 conversations. They haven't done anything formal  
 9 to my office.  
 10 THE APPLICANT: We haven't signed the  
 11 final copy of - - of that lease agreement. But  
 12 we do have a verbal commitment on both of our  
 13 sides to - - to rent and lease.  
 14 MR. MITZ: I have nothing further for  
 15 this witness. Thank you.  
 16 CHAIRMAN BOHL: Thank you. Next  
 17 witness, please.  
 18 THE WITNESS: Hello. My name is Arlene  
 19 Cofta. That's spelled C-O-F, as in Frank, T-A.  
 20 Thank you.  
 21 CHAIRMAN BOHL: And your address,  
 22 ma'am.  
 23 THE WITNESS: 1612 East Irving Place.  
 24 I'm about a block and a half south of your  
 25 building on the map. Your building is quite low

00066

1 on that picture. So I'm just off your map there.  
 2 And I'm just here to plead for peace and quiet in  
 3 our neighborhood, for the character of the East  
 4 side, which is the old homes and the people who  
 5 try to take care of them and want to live there  
 6 in peace and quiet. And I think the venue that  
 7 this club suggests, that at two a.m. they're  
 8 going to be all revved up. They're going to be  
 9 happy from all the music, and they couldn't be  
 10 expected to be a quiet crowd, and especially  
 11 music and all that stimulus. So that, plus the  
 12 fact that you're on Farwell Avenue, a one-way,  
 13 very busy street. So are you going to have 200  
 14 cars coming out both sides of Farwell at two  
 15 a.m., and have you thought about any of the  
 16 traffic problems something like that could cause,  
 17 especially if you have an event. I'm just  
 18 generally worried about the dance club part of  
 19 it. That, I guess, is all I have to say.  
 20 CHAIRMAN BOHL: Thank you. Questions  
 21 by committee. If it - - Ms. Grill, just as  
 22 follow-up, is there an established capacity for  
 23 this particular application?  
 24 MS. GRILL: The capacity that I have  
 25 from DNS, it says the former capacity was 181.

00067

1 CHAIRMAN BOHL: Thank you. Mr. Mitz,  
 2 questions of this witness?  
 3 MR. MITZ: Yes, thank you. I have a  
 4 red push-pin, and just come over here and point  
 5 on the map where you are located.  
 6 THE WITNESS: This is Lafayette, did  
 7 you say?  
 8 MR. MITZ: I believe so.  
 9 THE WITNESS: Okay. And where's  
 10 Farwell? So I'm right here, within one short  
 11 block. Okay.  
 12 MR. MITZ: So - - You have to go to the  
 13 microphone, please. So would it be fair to say  
 14 you're not on this map. Is that correct?  
 15 THE WITNESS: Yeah, because your  
 16 building is positioned so low. That's why I'm  
 17 off of it.  
 18 MR. MITZ: There are businesses in this  
 19 area that are reflected on this map. Is that  
 20 correct?  
 21 THE WITNESS: Yes. Yes.  
 22 MR. MITZ: And those businesses obey  
 23 the law, do they not?  
 24 THE WITNESS: As far as I know.  
 25 MR. MITZ: Do you have any reason, any

00068

1 basis to believe that my clients will not obey  
 2 the law?  
 3 THE WITNESS: Not that I know of.  
 4 MR. MITZ: Do you have any basis to  
 5 believe that my clients' patrons will not obey  
 6 the law?  
 7 THE WITNESS: I think if - - if you're  
 8 drinking, dancing and that, you're naturally  
 9 going to be loud and noisy. And I really don't  
 10 blame them, because if I have a good time, well,  
 11 that happens. And I do think you're going to get  
 12 noise. I don't see how you can avoid it.  
 13 MR. MITZ: But don't people in this  
 14 area in these other bars and restaurants in this  
 15 area also drink and dance, as well?  
 16 THE WITNESS: Well, I don't know if  
 17 they dance. Probably drink, and I don't know,  
 18 per se, about those particular people.  
 19 MR. MITZ: How about one of these  
 20 places that burned down, Cush, were you aware  
 21 that people danced at Cush?  
 22 THE WITNESS: No.  
 23 MR. MITZ: How about, there's a bar  
 24 over here down the block called Decibel. Do you  
 25 know whether they dance at Decibel and drink and

00069

1 have a good time there?  
 2 THE WITNESS: I don't attend any  
 3 nightclub type venues right now.  
 4 MR. MITZ: Fine. Thank you very much.  
 5 I have nothing further.  
 6 CHAIRMAN BOHL: I'll just ask a follow-  
 7 up question if I may. Approximately how far  
 8 would North Avenue be from your home, ma'am?  
 9 THE WITNESS: Hnh?  
 10 CHAIRMAN BOHL: Approximately how far  
 11 would North Avenue be from your home?  
 12 THE WITNESS: Oh, let's say, three - -  
 13 three blocks. It also varies if you're going up  
 14 Farwell or you're going up Oakland.  
 15 CHAIRMAN BOHL: Is this some of the  
 16 business - - Is some of the business locations  
 17 that Mr. Mitz, the attorney here, indicated to  
 18 you, those locations would be further from your  
 19 home than what is being applied for here. Is  
 20 that correct?  
 21 THE WITNESS: Yes, it would be.  
 22 CHAIRMAN BOHL: Okay. Now, if there  
 23 was dancing downtown, would that concern you?  
 24 THE WITNESS: I see downtown in a  
 25 different light.

00070

1 CHAIRMAN BOHL: Well, my - - my point  
 2 is, is if there's a McDonald's that's five blocks  
 3 from my home and people were throwing litter  
 4 there, I would tend to see it less than if the  
 5 McDonald's were a block or a block and a half  
 6 from my home.  
 7 THE WITNESS: Um-hnh.  
 8 CHAIRMAN BOHL: That's my point that  
 9 I'm making, Mr. Mitz. The other - - The other  
 10 point that I will just say is, just for the  
 11 record, I'm not particularly impressed that the  
 12 location on your map that you provided here, you  
 13 know, that for at least the verbal cue you - -  
 14 you can indicate that other people here aren't on  
 15 your map when your - - clearly your business  
 16 location is not even centrally located. I don't  
 17 know where, in terms of the residents are, vis-a-  
 18 vis, others that this may be a mixed use area.  
 19 But literally, the impact for me is if somebody  
 20 says they're a block and a half away,  
 21 theoretically it could be two or three blocks  
 22 away, my guess is, and still be on your map, but  
 23 a block and a half away and fall off of your map,  
 24 based on where you're located. Just so you're  
 25 aware. It's not real impressive. That's my

00071

1 opinion.  
 2 MR. MITZ: I didn't mean it to be  
 3 impressive. I'm just - -  
 4 CHAIRMAN BOHL: I didn't ask for your  
 5 to respond.  
 6 MR. MITZ: Okay.  
 7 CHAIRMAN BOHL: If you want to ask for  
 8 recognition, I'll say, yes, Mr. Mitz, you may  
 9 respond. Okay.  
 10 MR. MITZ: May I respond?  
 11 CHAIRMAN BOHL: When I'm finished, in a  
 12 moment.  
 13 MR. MITZ: Okay. Sorry.  
 14 CHAIRMAN BOHL: But I just will say,  
 15 for the record, I'm not particularly impressed  
 16 with - - with how the questions continue to be  
 17 made of people who are a block and a half away,  
 18 and the comments are, well, you're off the map.  
 19 Just so you're aware. I do think my opinion  
 20 matters, because I'm one of the persons deciding.  
 21 So just so you're aware of that. Okay.  
 22 MR. MITZ: May I respond?  
 23 CHAIRMAN BOHL: Yes.  
 24 MR. MITZ: There - - There's no intent  
 25 to in some way eschew this map. This is just a

00072

1 map.  
 2 CHAIRMAN BOHL: Yeah.  
 3 MR. MITZ: And what we tried to do is  
 4 - - There's no nefarious intent here. This is  
 5 just a map. If someone's not on the map, I think  
 6 it - - it's incumbent upon me to honestly say,  
 7 you're not on this map, where are you located?  
 8 And that's what I've been doing. It's not as an  
 9 intent to say, oh, you're not on the map, so  
 10 you're not involved. That's not the point. I'm  
 11 trying to put a point of reference, so that  
 12 people - - so we can understand where these  
 13 people are located. What they - - What was tried  
 14 to be accomplished on this map was to show as  
 15 much of this area as possible, and whatever we  
 16 do, it's going to be wrong. Okay, why didn't you  
 17 show my house? Well, we didn't know where you  
 18 lived. So, we're doing the best we can under the  
 19 circumstances. But there's no nefarious intent  
 20 here.  
 21 CHAIRMAN BOHL: I - - I appreciate  
 22 that. I do. Usually it's something that we do  
 23 ask individuals. We usually say how far are you  
 24 from the location. That's something that  
 25 routinely happens. I don't know - - You, I do

00073

1 not have a lot of familiarity with you before the  
2 committee. You maybe have appeared here once or  
3 twice. I'm going to guess not with regularity,  
4 because I haven't seen you. I've been on this  
5 committee for ten years. Okay. But that is  
6 something that is routinely stated. My point is  
7 that you, yourself, have made comments about,  
8 well, you're not on this map. And the person's  
9 like a block and a half away. I will  
10 - - That's my observation. Okay. My personal  
11 observation based on that.

12 ALDERMAN KOVAC: Mr. Chair.

13 CHAIRMAN BOHL: I - - I've heard - -  
14 I've heard - - Pecking orders. You're next,  
15 you're next, when I'm done. Okay.

16 But I'm just making that point. You're  
17 raising that with every person. So be it. But  
18 you're not centrally located. I'm just telling  
19 you that if the person is a block and a half  
20 away, I can theoretically believe that where  
21 you've drawn it, somebody can be four blocks away  
22 in one direction and still be on your map. I'm  
23 not real impressed when somebody's a block and a  
24 half away and they're not on your map. I'm just,  
25 whether, for push-pin's sake, I understand where

00075

1 middle of the map, how can anybody complain,  
2 because it's in the middle. But if you're got it  
3 in the corner, it gives the impression. I'm sure  
4 it's not the case, but it gives the impression,  
5 why is it only in the corner instead of being in  
6 the middle. No reason, okay.

7 MR. MITZ: I understand. But it wasn't  
8 intentional.

9 ALDERMAN ZIELINSKI: Thank you.

10 CHAIRMAN BOHL: Alderman Kovac.

11 ALDERMAN KOVAC: I just wondered if now  
12 is a good time, segue sake, change it to the City  
13 map where it is in the center or if you want to  
14 wait until after so people have - -

15 CHAIRMAN BOHL: We can introduce that  
16 at any point, but the - - our ability to raise  
17 questions on that, I think would be more  
18 appropriate to do that here a little bit later in  
19 this case. Mr. Mitz, did you wish to continue  
20 with this?

21 MR. MITZ: No, I'm finished. Thank  
22 you.

23 CHAIRMAN BOHL: Thank you, ma'am, for  
24 your testimony. Our next witness. If you wish  
25 - - Did you wish to take a seat here or is

00074

1 you're going with this. If you ask her how close  
2 she is and she says a block and a half away, I'll  
3 take it for what it is. Just saying that. My  
4 opinion. My opinion and my view matters, though.  
5 Because I get to render a decision on this.

6 Alderman Zielinski next.

7 ALDERMAN ZIELINSKI: I'm sure there's  
8 no nefarious intention on your part. However,  
9 why not put the location that - - that's in - -  
10 that you're referencing in the middle of the map  
11 instead of the in the corner of the map? That's  
12 just a simple question.

13 MR. MITZ: Can I respond to him?

14 CHAIRMAN BOHL: Yes.

15 MR. MITZ: Alderman, thank you for  
16 saying that. I appreciate you. We're not trying  
17 to pull anything. It's a nefarious effort on our  
18 part. Were, as I said to Alderman Bohl, what - -  
19 whatever we set on this map, it's going to be  
20 wrong. We tried to show businesses, we tried to  
21 show locations. We could have made it bigger.

22 We could have made it smaller. All we - - all  
23 we're doing is trying to assist in pointing - -

24 ALDERMAN ZIELINSKI: The point I don't  
25 understand is if you put it precisely in the

00076

1 standing fine for you?

2  
3 THE WITNESS: My name is Phyllis  
4 Atwell. I live at 1604 East Irving Place,  
5 Milwaukee, Wisconsin.

6 CHAIRMAN BOHL: Is that A-T?

7 THE WITNESS: W-E-L-L.

8 CHAIRMAN BOHL: Thank you, ma'am.  
9 Please proceed.

10 THE WITNESS: And I have lived on  
11 Irving Street over 62 years. And I've seen a lot  
12 of changes in Milwaukee. There are some that are  
13 very good, and there are some that are very bad.  
14 I live two doors from Mrs. Cofta. And we're - -  
15 I will not be on the map either. If you go down  
16 Farwell, it's - - If you go Prospect, it's two  
17 and a half blocks to where they're going to be.  
18 If you go Prospect, it might be three, and it's  
19 three for us to get to North Avenue. So we are  
20 very, very close, and, yes, there are a lot of  
21 bars up in - - I think there's enough bars up on  
22 North Avenue. But, you know, where we live, you  
23 should hear at two o'clock and 2:30, the noise we  
24 have for people that have had to park way by us,  
25 and they're all having a good time, and we all

00077

1 hear it, you know.  
 2 So there have been a lot of changes  
 3 that aren't good, and like, you know, that map  
 4 doesn't show where you're getting in an area  
 5 where there are houses. You know, when you get -  
 6 - when you get up from North Avenue from the  
 7 bridge in this area, that's where the homeowners  
 8 are, and he hasn't shown anyplace on that map  
 9 where all the people that have resided there for  
 10 a long time. So I'm against it, because I just  
 11 don't see, you know, there used to be the car  
 12 wash and know exactly what's there and what it  
 13 looks like, and I just want it on record that I'm  
 14 against it.  
 15 CHAIRMAN BOHL: Thank you. Thank you  
 16 for your testimony. Questions by committee,  
 17 please? Mr. Mitz, questions for you, sir.  
 18 MR. MITZ: Ma'am, I just have a couple  
 19 questions for you, please. I'm sorry. I didn't  
 20 mean to make you sit down and stand up. You are  
 21 - - I won't use this map. You are how far from  
 22 this location?  
 23 THE WITNESS: If you go over to  
 24 Prospect, I'm two blocks.  
 25 MR. MITZ: You're two blocks away.

00078

1 THE WITNESS: I'm - - I'm west, two  
 2 blocks.  
 3 MR. MITZ: Two blocks west.  
 4 THE WITNESS: Yes. And if you go down  
 5 Prospect from Irving, where your location is  
 6 going to be, it's two blocks. Two blocks, and a  
 7 little bit across the street.  
 8 CHAIRMAN BOHL: Well, if we could - -  
 9 I'm sorry. If we could ensure that you - - You  
 10 can even turn the microphone. We're kind of  
 11 getting you turning away from it.  
 12 THE WITNESS: But if you - - And if you  
 13 go down Oakland, which I live on the corner of  
 14 Oakland and Irving, then it's three blocks to  
 15 North Avenue, because it goes like this. So, I  
 16 mean, we - - we understand what goes on at North  
 17 Avenue, and I just - - I probably feel there is  
 18 enough bars and activities up there, that we  
 19 don't need anything else that might cause  
 20 probably traffic problems, because they all come  
 21 up and go up on around our streets when they let  
 22 out, so.  
 23 MR. MITZ: Now, you realize that this  
 24 is not going to be solely a bar. This is going  
 25 to be mostly a restaurant, and on a couple days

00079

1 of the week there are going to be functions at  
 2 this location. Do you understand that?  
 3 THE WITNESS: I know. But you have  
 4 said, you know, that you haven't decided how many  
 5 nights it will be. You'll have to decide that  
 6 when you get further on in your plans. I mean,  
 7 that's a worry, because you can go any direction  
 8 if we've okayed the - - if it's been okayed, and  
 9 you can do that.  
 10 MR. MITZ: Can - - Can I para - - maybe  
 11 paraphrase what your concern is. Your concern is  
 12 maybe people parking in your areas, and maybe  
 13 having - -  
 14 THE WITNESS: No.  
 15 MR. MITZ: No?  
 16 THE WITNESS: That's a problem, because  
 17 we have it every day of the week, you know, and  
 18 it's worse when there's snow. But that is not my  
 19 objection for having it.  
 20 MR. MITZ: Oh, okay. Your objection  
 21 is?  
 22 THE WITNESS: I just know if it's a big  
 23 place and you wind up and have music and comedy  
 24 clubs and everything, it's going to be an awful  
 25 lot of traffic, and we don't really need all this

00080

1 on the East side. We don't need all the extra  
 2 - - There's everything on North Avenue if you  
 3 really want it up there.  
 4 MR. MITZ: Do you understand the zoning  
 5 in this area?  
 6 THE WITNESS: No.  
 7 MR. MITZ: Okay. Thank you. I have  
 8 nothing further.  
 9 CHAIRMAN BOHL: Thank you. Next  
 10 witness, please.  
 11 THE WITNESS: My name is Mavis Hubbard,  
 12 and I live on 1606 East Irving Place, right next  
 13 to Phyllis and Arlene. We three are complete  
 14 neighbors. So we own that corner that everybody  
 15 is talking about.  
 16 And I am on the map, and I feel - - I'm  
 17 here really, all the wonderful words that they  
 18 said, I just say that I - - I'm so desperate that  
 19 this peace of our neighborhood will change. It's  
 20 a historic area. It's a beautiful area. We - -  
 21 Our children are there. My grandchildren come  
 22 there. I really don't think we need that.  
 23 There's enough place for all the activities that  
 24 are spoken of on the North Avenue area. There's  
 25 the number of clubs that you've said. That's

00081

1 quite sufficient.  
 2 However, my beautiful home and our  
 3 beautiful homes, we're just - - I mean, I feel  
 4 that I'm totally helpless. And I really don't  
 5 even know how to be articulate, to be quite  
 6 frank, but I have to stand here and say I - - In  
 7 my letter to Alderman Kovac and my letter to  
 8 Plais - - Jim Plaisted, I used the word,  
 9 vehement, and I used the word, plethora.  
 10 Plethora of nightclubs and alcohol related  
 11 entertainment. Surely that should be in another  
 12 area, not in our beautiful historic area. And  
 13 so, that's all I have to say, and I just pray and  
 14 wish that - - Your enterprise is not the thing  
 15 that we have against. It's just the peace of our  
 16 neighborhood, and it's a beautiful neighborhood.  
 17 Thank you.  
 18 CHAIRMAN BOHL: Thank you, ma'am.  
 19 Questions by committee?  
 20 THE WITNESS: I'm not very good at  
 21 maps. I live right next to Arlene and all the  
 22 other ladies.  
 23 CHAIRMAN BOHL: And I don't - - If you  
 24 wish to have them point, but I - - I don't have a  
 25 problem with that. I'm just saying, to me, when

00083

1 from me.  
 2 CHAIRMAN BOHL: It is across the street  
 3 from you.  
 4 THE WITNESS: Kitty-corner.  
 5 CHAIRMAN BOHL: Okay. Now, I don't  
 6 know what the history of - - Other than somebody  
 7 had mentioned earlier that this was a carwash.  
 8 Is that correct here?  
 9 ALDERMAN KOVAC: Next to Crank Daddy's.  
 10 THE WITNESS: It was a carwash, yes.  
 11 Next to the bike shop.  
 12 CHAIRMAN BOHL: That doesn't help me.  
 13 Okay. You can pull out your map and show me, but  
 14 ultimately - -  
 15 MR. MITZ: No, I'm not going to touch  
 16 the map.  
 17 CHAIRMAN BOHL: But in terms of telling  
 18 me Crank Daddy's, I would just as soon tell you -  
 19 - You might as well tell me something about  
 20 Pewaukee as you would over this location of the  
 21 City. Sir, I'll get you in a moment here. I  
 22 just - - You know, the - - the concern has been  
 23 expressed about other alcohol establishments. I  
 24 just want to get a gauge, knowing that several of  
 25 you live close - - close to each other.

00082

1 you - - you had made comments about, you're not  
 2 on the map, and somebody's like, I'm just off,  
 3 you can be not too far off of it and not be on  
 4 your map for that - - for that sake.  
 5 Ma'am, I - - I do have a follow-up  
 6 question or two for you. Other than the - - some  
 7 of the liquor locations in which Mr. Mitz has  
 8 shown others on North Avenue, in particular, are  
 9 there other closer locations, bars, taverns,  
 10 places that you know have an alcohol license  
 11 closer to where you live?  
 12 THE WITNESS: Closer to where I live?  
 13 CHAIRMAN BOHL: Yes.  
 14 THE WITNESS: Comet - - Yes, Comet.  
 15 Comet.  
 16 CHAIRMAN BOHL: And what type of - - Is  
 17 that a normal bar, to your knowledge? Do you - -  
 18 THE WITNESS: I don't know what type of  
 19 license they have. I wouldn't know that.  
 20 ALDERMAN KOVAC: They definitely don't  
 21 have dance. I mean, they do serve beer. But  
 22 they're a restaurant primarily.  
 23 CHAIRMAN BOHL: And how close would  
 24 that - -  
 25 THE WITNESS: It's across the street

00084

1 THE WITNESS: Right. Right.  
 2 CHAIRMAN BOHL: Whether or not you have  
 3 had experience with other alcohol establishments  
 4 that are closer in the area here. What has your  
 5 experience been with Comet? Have you had major  
 6 problems? Has it been something that's been  
 7 relatively calm?  
 8 THE WITNESS: Not - - Not that I know  
 9 of. Not that I know of.  
 10 CHAIRMAN BOHL: No - - Not that - - No  
 11 major problems?  
 12 THE WITNESS: No, not major. I  
 13 wouldn't know if they were major problems, no,  
 14 so.  
 15 CHAIRMAN BOHL: All right. Thank you.  
 16 ALDERMAN KOVAC: Mr. Chair.  
 17 CHAIRMAN BOHL: Did you - -  
 18 MR. KESSELMAN: Just if you wanted to  
 19 - - If you wanted me to lay out the location for  
 20 you, I can. That's up to you.  
 21 CHAIRMAN BOHL: Yeah, well, I mean - -  
 22 MR. KESSELMAN: The building - - Sure.  
 23 My name is John Kesselman. My office at 10620  
 24 North Port Washington Road, Mequon, Wisconsin.  
 25 The building was formerly all

00085

1 automotive uses. And at one time, most recent  
 2 use of the space in question was WOW restaurant  
 3 and Wingery. It had a liquor license. And next  
 4 to it was a space that was a carwash. The owner  
 5 has redone the whole building. It's no longer -  
 6 - The building is now all retail with retail  
 7 fronts. To the north the building is a bike  
 8 path. To the east the building is another  
 9 commercial building. To the west the building is  
 10 a parking lot. And the block over to the east  
 11 would be the Duke Condos that were repossessed.  
 12 I'll even give you a frame of reference. That  
 13 would be one block east on the lake, are those  
 14 vacant - - the vacant condo building.

15 CHAIRMAN BOHL: Now you are - - You are  
 16 the property owner.

17 MR. KESSELMAN: I am the leasing agent  
 18 for the building. I represent the owner.

19 CHAIRMAN BOHL: Okay. You represent  
 20 the owner. Alderman Kovac, did you have a  
 21 question?

22 ALDERMAN KOVAC: Yeah, I quickly wanted  
 23 to point - - The Comet's a restaurant, is a bar  
 24 restaurant, but it specializes in vegetarian,  
 25 vegan food, and the only complaints I've gotten

00087

1 that area is going to cause more noise and  
 2 traffic problems in the evening.

3 CHAIRMAN BOHL: Thank you. Questions  
 4 by committee? How - - Mr. Gehweiler, how close  
 5 do you reside to this establishment?

6 THE WITNESS: I'm four and a half  
 7 blocks away.

8 CHAIRMAN BOHL: And - - And you're - -  
 9 The business association that you are  
 10 representing is approximately how close or far  
 11 away?

12 THE WITNESS: Well, we have members  
 13 that are in the - - the neighborhood, I would  
 14 say, about three blocks away.

15 CHAIRMAN BOHL: You have a membership  
 16 outside of the formal businesses.

17 THE WITNESS: Correct, yeah. We  
 18 represent the members and the businesses. So - -  
 19 So we have residential members. The East Bank  
 20 Association and us kind of overlap in our  
 21 boundaries.

22 CHAIRMAN BOHL: And how close is this  
 23 approximately to Brady Street, itself? About how  
 24 far?

25 THE WITNESS: Six blocks.

00086

1 have been about the - - their garbage, and I've  
 2 contacted them. There have been some complaints  
 3 about the way they dispose of garbage. Just for  
 4 - - Since you asked.

5 CHAIRMAN BOHL: Thank you. Are there  
 6 questions of this witness? Mr. Mitzi, were there  
 7 questions you have of - -

8 MR. MITZ: No, I think you - - The  
 9 questions have been very accurate and very - -  
 10 are very enlightening.

11 CHAIRMAN BOHL: Thank you. Thank you,  
 12 ma'am. Any others who are here in opposition?

13 THE WITNESS: I'm Grant Gehweiler, G-E-  
 14 H-W-E-I-L-E-R. I live at 1844 North Oakland  
 15 Avenue. And I'm also the President of the Brady  
 16 Street Area Association.

17 CHAIRMAN BOHL: Yes. Please proceed.

18 THE WITNESS: I support the - - the  
 19 restaurant, but I have deep concerns about  
 20 another nightclub in the area. This would be the  
 21 closest nightclub to that residential district  
 22 that is both in the East Bank Association and in  
 23 the Brady Street Area Association's boundaries.  
 24 And my concerns are that adding another  
 25 establishment of - - of a nightclub nature in

00088

1 CHAIRMAN BOHL: Six blocks, okay. All  
 2 right. Thank you. Are there questions by  
 3 committee? Mr. Mitzi, questions of you?

4 MR. MITZ: Thank you. Just very  
 5 briefly. Sir, do you own a business?

6 THE WITNESS: No.

7 MR. MITZ: Okay. You represent Brady  
 8 Street concerns. Is that correct?

9 THE WITNESS: I'm the President of the  
 10 Brady Street Area Association.

11 MR. MITZ: Right. And there are bars  
 12 on Brady Street?

13 THE WITNESS: There are bars on Brady  
 14 Street.

15 MR. MITZ: And they have various types  
 16 of licenses.

17 THE WITNESS: Yes, they do.

18 MR. MITZ: Okay. And can I assume that  
 19 they operate within the law?

20 THE WITNESS: To the best of my  
 21 knowledge, they do.

22 MR. MITZ: And do you have any basis to  
 23 believe that my clients won't operate within the  
 24 law?

25 THE WITNESS: No, I do not.

00089

1 MR. MITZ: You understand that you do  
2 have recourse, as the rest of these folks here  
3 that testified, that if there is a problem, you  
4 can bring it to the attention of the City of  
5 Milwaukee, and if there is a problem, the City  
6 can address it, and there are several sanctions,  
7 there are several methodologies that can be  
8 employed, to make sure that bar owners,  
9 restaurant owners, licensees comply with the law.  
10 You understand that, don't you?

11 THE WITNESS: I understand that.

12 MR. MITZ: You're saying that, because  
13 of your experience with Brady Street.

14 THE WITNESS: I also understand that  
15 it's more difficult to stop someone who is  
16 already operating than it is to stop them from  
17 getting the initial license.

18 MR. MITZ: Right. And you - - And you  
19 want the license to be stopped because there  
20 might be a problem. Is that correct?

21 THE WITNESS: That's correct.

22 MR. MITZ: Thank you. Nothing further.

23 CHAIRMAN BOHL: Thank you for your  
24 testimony. Next witness, please.

25 THE WITNESS: My name is Suzette

00090

1 Orcholski. 1615 East Irving Place. And  
2 Orcholski is O-R-C-H-O-L-S-K-I. I'm a lifetime  
3 resident on East Irving Place, and as - - I just  
4 want to state in here, as far as his map goes,  
5 this group of people is the same group of people  
6 who have met at the other meetings. So I think  
7 it would have behooved him to make sure that he  
8 thought about that when he was making his - -  
9 making the map.

10 We do have impact when other  
11 establishments had after-bar hours. I live on an  
12 alley, and not only do I have excess cars going  
13 up and down that alley at two o'clock in the  
14 morning, but we have people who are walking from  
15 different establishments in the area. And there  
16 having a good time. I don't blame them. I like  
17 to go out and have a good time, myself, but  
18 sometimes I don't enjoy getting woken up at 2:30  
19 in the morning, three o'clock. Sometimes it's  
20 not even the people, but the people who are  
21 parked there that have walked to other  
22 establishments. Cars go off, too, in the middle  
23 of the night and wake us up.

24 As far as garbage, we do get excess  
25 litter. Even when establishments on North

00091

1 Avenue, like when they close off the street to  
2 have their fairs and whatnot, they park in our  
3 neighborhood. And our neighborhood does have  
4 limited parking. Not only at night, but also,  
5 during the day. I'd like to be able to come home  
6 and unload my groceries without having to park a  
7 block away.

8 So I think that another establishment,  
9 as you are proposing, would have a definite  
10 impact on us.

11 CHAIRMAN BOHL: Thank you for your  
12 testimony. Are there questions of the committee?  
13 I - - I will have a follow-up question for you,  
14 and I'm going to pick on you here.

15 THE WITNESS: Okay.

16 CHAIRMAN BOHL: There was a - - This  
17 was the location of another establishment, a  
18 restaurant, that I know came before us and had a  
19 liquor license, named WOW. Did you personally  
20 experience any problems with the operation of  
21 that location. And I say that, understanding  
22 that this is applying for a different license and  
23 license above and beyond that. But I'm just  
24 wondering if you had any - - if you had any  
25 personal experience or problems with the previous

00092

1 operation, WOW.

2 THE WITNESS: I did not. But it seemed  
3 like WOW was more of an operation that people,  
4 more walking in. You know, people would go there  
5 and walk in the neighborhood. There wasn't an  
6 excess of a lot of traffic or cars parking over  
7 from there.

8 CHAIRMAN BOHL: More of a neighborhood  
9 establishment than a larger draw is what you're  
10 trying to convey.

11 THE WITNESS: Yes.

12 CHAIRMAN BOHL: Is that fair to say?

13 THE WITNESS: Um-hnh.

14 CHAIRMAN BOHL: All right. Thank you.

15 THE WITNESS: And there are other  
16 establishments. A new one - - There is an Indian  
17 restaurant that moved into our neighborhood not  
18 too long ago, right on Farwell. But now they  
19 have valet. And I walk my dog at night, and I've  
20 watched, and their business is really, really  
21 growing, and they have not been a problem.

22 CHAIRMAN BOHL: They have not been,  
23 okay. Thank you. Other questions by committee?  
24 Mr. Mitz, questions of this witness?

25 MR. MITZ: Thank you. You said that

00093

1 there is a growing business in your neighborhood,  
2 an Indian restaurant, and they have valet  
3 parking. Is that correct?

4 THE WITNESS: They do.

5 MR. MITZ: And that seems to be working  
6 pretty well for you, does it?

7 THE WITNESS: At - - I walk my dog like  
8 around nine, ten o'clock, and that has been fine.  
9 We've had very little trash from them. Let's  
10 say, I don't see anything with their name on it  
11 when we're cleaning up our yard. Now, the other  
12 business that's on the corner from us. I don't  
13 want to single them out, the Comet, when they  
14 moved in, we definitely had more of impact on the  
15 amount of cars that are there. And - -

16 MR. MITZ: Now - -

17 THE WITNESS: And trashwise.

18 MR. MITZ: Sorry. I didn't mean to  
19 interrupt you. Okay. I'm - - As to Comet, they  
20 don't have a valet, do they?

21 THE WITNESS: No, they do not.

22 MR. MITZ: They don't have a parking  
23 lot, do they?

24 THE WITNESS: They do not.

25 MR. MITZ: Okay. This establishment,

00095

1 use free valet or - - or a parking lot that's  
2 available to a restaurant. Is that your  
3 understanding - -

4 THE WITNESS: I can't say what every  
5 client would like to do. I'm just telling you  
6 what has happened in the past with establishments  
7 that come into the neighborhood.

8 MR. MITZ: Okay.

9 THE WITNESS: We have no more room for  
10 any more cars in that area. And I - - Anything  
11 - - Any type of establishment that has extra  
12 events, we're aware of it. We know when  
13 someone's having an event. You don't go out that  
14 night and move your car because you won't get  
15 back in.

16 MR. MITZ: Do you think - - Do you know  
17 what the occupancy of this restaurant is going to  
18 be?

19 THE WITNESS: They're saying up to  
20 maybe 200.

21 MR. MITZ: Okay. If you have parking  
22 spots for 200 cars and the occupancy is 200, do  
23 you think there's going to be a parking problem?

24 THE WITNESS: You can't guarantee  
25 everyone's going to park there.

00094

1 restaurant and lounge, I want you to assume will  
2 have will have valet parking, and will have  
3 parking available for some 200 cars. Do you  
4 think that would be a positive effect on your  
5 neighborhood?

6 THE WITNESS: Well, that's not to say  
7 that everybody who goes to that restaurant or  
8 establishment wants to park in valet. Some  
9 people don't use valet when it's right - -  
10 offered to them.

11 MR. MITZ: How about would they like to  
12 use a parking lot that's available for them, if  
13 they don't want to use valet?

14 THE WITNESS: Sometimes they will and  
15 sometimes they won't. I just don't see that for  
16 the type of establishment you propose, that it  
17 won't have impact on the parking situation.

18 MR. MITZ: Okay. If - -

19 THE WITNESS: Because not everyone's  
20 going to want to use your lot. They're going to  
21 think, oh, look, I see a parking spot there.  
22 Let's just park here and walk over. And that's  
23 normal. That's - -

24 MR. MITZ: So someone would rather  
25 drive around and try to find a parking spot than

00096

1 MR. MITZ: Okay. Thank you very much.

2 CHAIRMAN BOHL: Thank you. Next  
3 witness, please.

4 THE WITNESS: Hi. Thank you. Steve  
5 Atwell, A-T-W-E-L-L. 1956 North Oakland Avenue.  
6 Like many of my - - of the previous witnesses,  
7 I've been a 50 year resident of the East side,  
8 located in proximity about the same location off  
9 the map, one block to the west, two and a half  
10 blocks within walking distance for me and my  
11 three children past that establishment.

12 My concern is not whether the abilities  
13 or skills of these folks to operate a restaurant  
14 with a liquor license like the previous  
15 establishment. But it is precisely with opening  
16 up the door to the lounge nightclub activities  
17 and what that might mean going forward. I think  
18 there is a goal relative to what was expressed in  
19 the business district appeal. To suggest that  
20 this is, indeed, a neighborhood and to credit  
21 them that we have tried to or they have tried to  
22 build a broad base of different types of retail  
23 operations so that the residents, both those that  
24 have lived there for 50, 60 plus years, who are  
25 raising children, grandchildren, plus the



00097

1 newcomers who are moving into the condominium  
 2 establishments can truly enjoy. So it is just  
 3 really a concern on the basis of opening up what  
 4 I see as a potential can of worms that could  
 5 impact our neighborhood relative to the broader  
 6 usages of this facility. We are literally within  
 7 three and four blocks of walking from our house  
 8 to Fisher's, to the Landmark, to North Avenue,  
 9 and corollary to Brady Street. If I had my  
 10 druthers, I would say there's plenty of bar,  
 11 liquor and entertainment generally on North  
 12 Avenue and to our south on Brady Street. But  
 13 that is not, I think, what I'm arguing here, but  
 14 rather just the concern over what may transpire.  
 15 And I have to preface and assume your questions  
 16 of me, I have no doubt that you will follow the  
 17 law, that there are opportunities on the back end  
 18 for neighborhoods and residents who are concerned  
 19 to have a recourse after the fact. And I wish  
 20 you well, but I am just concerned with that  
 21 expanded use piece on the Thursday, Friday,  
 22 Saturday and what that might entail, and in terms  
 23 of your business model, whether, if your business  
 24 model is dependent on that component, given  
 25 previous history, what, you know, you take that

00098

1 way, run a business, that sounds marvelous. But  
 2 it does seem like that slippery slope concept  
 3 that could negatively impact the neighborhood in  
 4 which I reside and in which I'm raising my  
 5 children. So, thank you very much.  
 6 CHAIRMAN BOHL: Questions by committee.  
 7 Questions?  
 8 MR. MITZ: Yeah, very briefly. Sir, if  
 9 this establishment is operated properly, can you  
 10 assume that?  
 11 THE WITNESS: Oh, I am making that  
 12 assumption.  
 13 MR. MITZ: And if they have parking, if  
 14 there is a - a occupancy of about 200 and they  
 15 have parking for 200 people, and if they operate  
 16 it with a great, great sensitivity to their  
 17 neighbors in a - in a respectful manner and  
 18 make sure that, whether it's restaurant time or  
 19 it's bar time or dance time, whatever time it is,  
 20 but always have those residents, their neighbors  
 21 in mind, if you can assume that, do you believe  
 22 that this would be a proper use of this area?  
 23 THE WITNESS: As I said, for me,  
 24 personally, I would prefer alternate use, because  
 25 I think there's enough bar entertainment

00099

1 establishments with dancing located on North  
 2 Avenue and Brady Street, which provide a  
 3 contained space, that at least isolates those  
 4 activities. This is right, from my point of  
 5 view, right sort of in the middle. Now having  
 6 said that, I think if everything goes according  
 7 to Hoyle and as you plan, it is conceivable they  
 8 could be a very good neighbor. My personal  
 9 preferences would be to pursue alternate business  
 10 in that particular location. But I recognize  
 11 that the previous owner had a liquor license and  
 12 a restaurant, and there were absolutely, to my  
 13 knowledge, no problems. So that's all I can say.  
 14 My personal preferences would be no, but I have  
 15 no expectation that these folks wouldn't do  
 16 everything they - they could to - to follow  
 17 the letter of the law and to be good neighbors.  
 18 I just am, as I said, am concerned about that  
 19 broader use and what that might mean in terms of  
 20 the impact on the neighborhood broadly defined.  
 21 MR. MITZ: Thank you very much.  
 22 THE WITNESS: Thank you.  
 23 CHAIRMAN BOHL: Thank you for your  
 24 testimony. Any others who are here in  
 25 opposition? At this point here, we'll hear from

00100

1 individuals who are here in support of the  
 2 license. And if you could, at least, also,  
 3 please have individuals come forward, take the  
 4 front row, who are here to speak in opposition.  
 5 Sir, we'll start with you. Again, if you could -  
 6 - You've already been sworn in. If you could,  
 7 again, provide your name.  
 8 THE WITNESS: Sure. My name is John  
 9 Kesselman. Representing Kesselman Real Estate  
 10 and the owner of the property, also. We  
 11 previously leased this space to WOW restaurant.  
 12 I attended quite a few events at WOW restaurant  
 13 to support, as we always do with people that we  
 14 work with. It was full to capacity many times.  
 15 We never had complaints. I've not heard a  
 16 complaint about what went on at that  
 17 establishment. Quite often it was for sporting  
 18 events. People were drinking, and probably  
 19 drinking more than the amount of food that was  
 20 consumed on some of those - those times. We  
 21 have - didn't have any problem. We, in our  
 22 lease, have provisions for them to clean up the  
 23 lot and take care of things. And there was about  
 24 500,000 dollars approximately investment put into  
 25 the interior of the building at that time, which

00101

1 is why it doesn't need a 500,000 dollar  
 2 investment now to create the ambience. It's more  
 3 of a decorating question. The space next door  
 4 was a carwash. It was caving in. The building  
 5 was caving in. The owner has redone the complete  
 6 facade, working with the City to make this a nice  
 7 retail facility. So we have more parking than  
 8 any other restaurant venue I know of in the area.  
 9 The - - In fact, the Comet, all the new  
 10 restaurants, and the other development, which was  
 11 allowed to be built without parking just down the  
 12 street from us to the south, where the Indian  
 13 restaurant and the other restaurants are. The  
 14 places on Brady Street have zero parking.  
 15 Frankly, I don't go to Brady Street, because I  
 16 can't - - Not because it costs me to park. I  
 17 just can't park. And many parts of the East side  
 18 have that problem. I lived on the East side in  
 19 many locations over the years, Farwell and  
 20 Maryland and when you move into your  
 21 neighborhood, you've got to really consider what  
 22 you're doing about your car. There's no  
 23 question. It is an issue.  
 24 We have more parking than everyone  
 25 else. And so I would submit that if this is

00102

1 turned down because of parking reasons, then I  
 2 would think a lot of licenses shouldn't be  
 3 renewed around the area.  
 4 My other comment I'd like to make is  
 5 it's a 5400 foot space, just to correct that.  
 6 It's a minor item. Two, I did attend the - - the  
 7 meeting over the - - the first meeting over at  
 8 the BID district, and there - - I'm a little  
 9 concerned that the positive comments out of that  
 10 meeting, which there were some, were not brought  
 11 here. I won't mention them, because they're  
 12 hearsay, obviously. But it does question who is  
 13 making the decisions on to be for or against this  
 14 - - this particular item. I don't know how much  
 15 time I have left, but - -  
 16 CHAIRMAN BOHL: If - - If you could  
 17 just wind it down here now.  
 18 THE WITNESS: Okay. The last thing is  
 19 there was a concern from the owner, because he's  
 20 made multiple contacts to the City, and the  
 21 process here for both he and I, we both have  
 22 called multiple times. In calling the Licensing  
 23 Committee has been very murky. They have not  
 24 been able to tell us the process for getting on  
 25 here. They've told us this would never come to

00103

1 committee until the Aldermen decided it would.  
 2 They've told us that we - - we have no op - - We  
 3 have no options to do anything to move it up in  
 4 date, and I read the City By-laws and I don't see  
 5 that in the By-laws. I'm not saying they did  
 6 anything wrong or anybody intended to do  
 7 something wrong. My - - My point is, is that  
 8 when a process becomes non-transparent, that it's  
 9 not good for the City or community, and I think  
 10 there ought to be a change in the By-laws to  
 11 reflect the actual - - reflect what's going on  
 12 with the committee. Thank you.  
 13 CHAIRMAN BOHL: Thank you.  
 14 ALDERMAN KOVAC: Mr. Chair.  
 15 CHAIRMAN BOHL: I just - - No. I  
 16 mean - -  
 17 ALDERWOMAN COGGS: I have a question of  
 18 him.  
 19 CHAIRMAN BOHL: Yeah, question.  
 20 Alderwoman Coggs.  
 21 ALDERWOMAN COGGS: How many - - How  
 22 many parking spaces are in - - in the rear of the  
 23 building?  
 24 THE WITNESS: We haven't re-stripped. I  
 25 believe we figured we could re-stripe it for 70

00104

1 or 72 cars.  
 2 ALDERWOMAN COGGS: How many of the - -  
 3 Because - - How many other occupants are there in  
 4 the - -  
 5 THE WITNESS: There's a bicycle store  
 6 that occupies 11,300 feet, which is open mostly  
 7 during the day. So it uses a couple dozen spaces  
 8 during the day when they're really busy in the  
 9 summer, but not much at night, if ever.  
 10 ALDERWOMAN COGGS: Thank you.  
 11 THE WITNESS: We have one additional  
 12 vacant space. So which we have not rented yet.  
 13 ALDERWOMAN COGGS: Thank you.  
 14 MR. SCHRIMPF: Mr. Chairman.  
 15 CHAIRMAN BOHL: Let me just see, Mr.  
 16 Schrimpf, if there's another question by  
 17 committee first. Are there questions by  
 18 committee?  
 19 ALDERMAN KOVAC: Yeah. My question - -  
 20 CHAIRMAN BOHL: Alderman.  
 21 ALDERMAN KOVAC: I was at - - I was at  
 22 the North Avenue meeting on January 14th, and I  
 23 want to ask you, you say you heard a number of  
 24 positive comments, which is true. I think there  
 25 were a number of positive comments made about the

00105

1 applicants individually and about the Brown  
2 family in general that people were impressed with  
3 their history in the City and the overall  
4 sincerity and entrepreneurship. Did you hear  
5 anyone say anything positive, though, about the  
6 nightclub - - Well, they don't want to call it -  
7 - They want to call it a Las Vegas style lounge.  
8 But the tavern dance aspect of the business plan,  
9 did you hear anyone say anything positive about  
10 that?

11 THE WITNESS: Yes.

12 ALDERMAN KOVAC: Okay. But I didn't

13 - - But - -

14 CHAIRMAN BOHL: Other questions by  
15 committee? Mr. Schrimpf?

16 MR. SCHRIMPF: Thank you, Mr. Chairman.  
17 You mentioned that there was another restaurant  
18 with a liquor license in the complex, and there  
19 was no problem with it. Is that correct?

20 THE WITNESS: I didn't say that. What  
21 I said was I had not heard any complaints about  
22 - - I did not hear any complaints about it. I  
23 did not check in the complaints, if there were  
24 any made of the City, no.

25 MR. SCHRIMPF: And does that location

00107

1 Association area, did they also oppose the - -  
2 just the alcohol beverage license at that  
3 location?

4 THE WITNESS: Yes, they did.

5 CHAIRMAN BOHL: Okay. So it wasn't  
6 even an issue of an application being for a  
7 tavern dance or other type of amenities.

8 THE WITNESS: No, they opposed the  
9 liquor license.

10 CHAIRMAN BOHL: They opposed the  
11 general liquor license. Okay. All right. Very  
12 good. Thank you for follow-up on that. Were  
13 there any other questions again by committee?  
14 Thank you for your testimony here. And, Mr.  
15 Mitz, usually the protocol is, is you would raise  
16 questions of individuals who are here to cross-  
17 examine in terms of opposition. If you do wish  
18 - - I'm not going to ask each and every person  
19 here who is here in favor. Just pipe in, as  
20 opposed to me asking you here if - - if you did  
21 have a follow-up.

22 MR. MITZ: Thank you very much.

23 CHAIRMAN BOHL: Thank you. Thank you  
24 for your testimony, sir. Next witness, please.

25 THE WITNESS: My name is Kwabena Anton

00106

1 and the restaurant that you're referring to have  
2 a nightclub component to the liquor license, if  
3 you know?

4 THE WITNESS: No. As far as I know, it  
5 was a sports bar. Restaurant and sports bar.

6 MR. SCHRIMPF: That's all I have, thank  
7 you.

8 CHAIRMAN BOHL: That will just bring up  
9 a follow-up question from me. The previous  
10 establishment, this was a location known as WOW,  
11 is that - -

12 THE WITNESS: It stood for World of  
13 Wings. It was a franchise.

14 CHAIRMAN BOHL: It was a franchise that  
15 called itself kind of an eatery sports bar type -  
16 - type place. Is that correct?

17 THE WITNESS: Yes.

18 CHAIRMAN BOHL: Now maybe - - You know,  
19 and I'll base that on your recollection. You  
20 were part of the ownership group, even at that  
21 time. Is that correct?

22 THE WITNESS: Yes, I was leasing it to  
23 them.

24 CHAIRMAN BOHL: Was there the - - the  
25 Business Improvement District or Business

00108

1 Nixon.

2 CHAIRMAN BOHL: And you're going to  
3 have to at least provide spelling of your first  
4 name. I have no problem with Nixon.

5 THE WITNESS: It's a normal thing. I  
6 do it for lots. K-W-A-B, as in boy, E, as in  
7 elephant, N, as in nice, A, as in Africa.

8 COURT REPORTER: What is your last  
9 name?

10 THE WITNESS: Nixon. That one's easy.

11 CHAIRMAN BOHL: Mr. Nixon, your  
12 address, please.

13 THE WITNESS: 2222 North 19th Street,  
14 apartment 606.

15 CHAIRMAN BOHL: Thank you. And your  
16 testimony, sir.

17 THE WITNESS: I represent an  
18 organization called MUEA, Milwaukee Urban  
19 Entertainment Alliance. I have known the Browns  
20 since we - - they worked at the Onyx during the  
21 time where we did poetry night. Poetry  
22 Unplugged, every Tuesday night. And I've worked  
23 with them on several events. But before I speak  
24 on that, I do want to say one thing. With all  
25 apologies to - - And when I say apologies, I

00109

1 truly understand about communities and  
 2 neighborhoods. My grandmother lived in her  
 3 neighborhood for 40 something years, and the  
 4 intensification of it, the certain things came in  
 5 our neighborhood that we were not trying to have.  
 6 So I truly understand what the - - about the  
 7 concern of the communities. So I just wanted to  
 8 say that to you guys before we start.  
 9 I worked with the brothers on several  
 10 different projects. I do events throughout the  
 11 community. I represent that young urban  
 12 professional group who would come to events. We  
 13 had, at that poetry night, at the old school  
 14 nights, different events they had at the Onyx, we  
 15 brought in distinguished guests. I do political  
 16 work, so we brought in numerous people throughou  
 17 the country, from Jeff Johnson from BET. We did  
 18 numerous fundraisers. I can say during the time  
 19 we were there. And even when there were parties  
 20 there, there were young professionals from the  
 21 ages of, I would say, about 28 to maybe 40 years  
 22 old, or maybe even older, or maybe even older.  
 23 The poetry nights spoke for itself. But even our  
 24 parties and the events, there was never a moment  
 25 where there was four to five, 700 people, you

00110

1 know, that we were trying to get in the building.  
 2 It was more so a group of young professionals,  
 3 28, again, 28 to 45 years old, having a good  
 4 time. Music never got way out of hand. As a  
 5 matter of fact, we went - - Even for poetry night  
 6 after a few words back and forth, they even tried  
 7 to enforce the dress code. And the weekend dress  
 8 code usually when we would have events, and not  
 9 just there but different events we've partnered  
 10 on, you know, it - - There was what we would call  
 11 the grown folks clothing. Wear blazers, jeans,  
 12 no gym shoes. Everyone was well-dressed, and,  
 13 you know, it was a good time overall. Not just  
 14 on the poetry night and the live bands we would  
 15 bring in, but just for even the party aspects.  
 16 CHAIRMAN BOHL: Thank you for your  
 17 testimony. Questions by committee of this  
 18 witness. Questions?  
 19 ALDERWOMAN COGGS: Mr. Chairman.  
 20 CHAIRMAN BOHL: Follow-up, Alderwoman  
 21 Coggs.  
 22 ALDERWOMAN COGGS: So if this license  
 23 were granted, those similar events of Poetry  
 24 Unplugged and others that you've done at their  
 25 previous location and in conjunction with them,

00111

1 you would be likely doing them again?  
 2 THE WITNESS: Oh, definitely.  
 3 Definitely. We would be a major support of the  
 4 events that would happen.  
 5 ALDERWOMAN COGGS: Thank you.  
 6 ALDERMAN KOVAC: Mr. Chair.  
 7 CHAIRMAN BOHL: I'm up to that.  
 8 ALDERMAN KOVAC: On the poetry night  
 9 events that you do, and I've seen you do it.  
 10 Nostalgia are very nice events. Is there any  
 11 dancing involved in that?  
 12 THE WITNESS: Thank you. Yes, we - -  
 13 Afterwards - -  
 14 ALDERMAN KOVAC: Afterwards, okay.  
 15 THE WITNESS: There's some dancing  
 16 afterwards.  
 17 ALDERMAN KOVAC: Would that model work  
 18 if you didn't have the dance?  
 19 THE WITNESS: Excuse me?  
 20 ALDERMAN KOVAC: Would you be able to  
 21 do that without the dance, if you they did a  
 22 special event for poetry nights, or do you and  
 23 the people who come for poetry expecting to dance  
 24 right after?  
 25 THE WITNESS: I can go either way. If

00112

1 I'm answering your question right, it can go  
 2 either way. It can exist with or without. But  
 3 one thing about it is that people who have - -  
 4 Usually, if I can answer your question this way.  
 5 People who usually when they come, they will stay  
 6 until it's over, because they feel it's a safe  
 7 environment. They feel like they're going to  
 8 have a good time. It's a fellowship. They just  
 9 got to hear some good powerful - - power - -  
 10 empowering words, and then the music, I mean,  
 11 again, it deals with the crowd, that same 30 and  
 12 older, old school mellow music, R&B. Yeah,  
 13 they'll usually stay, and that sometimes they  
 14 look forward, a big majority of the crowd look  
 15 forward to staying and laughing and enjoying.  
 16 CHAIRMAN BOHL: Are there any other  
 17 questions by committee? Thank you for your  
 18 testimony, sir. Other witnesses?  
 19 THE WITNESS: My name is Donte Mills,  
 20 3805 North 39th Street. I've been a part of this  
 21 establishment for the whole time, even at the  
 22 Onyx. I drive a part of their other company that  
 23 they have. I'm the food manager. I am the food  
 24 manager for the establishment if it becomes one.  
 25 This family is wonderful, you know. We - - We do

00113

1 a lot of things together, and that's all I have  
 2 to say about it.  
 3 CHAIRMAN BOHL: A follow-up question.  
 4 Thank you for your testimony. Follow-up question  
 5 for you. Was there a full fledged restaurant  
 6 that was - - when it was Onyx?  
 7 THE WITNESS: Yes, it was. In the  
 8 mornings - -  
 9 CHAIRMAN BOHL: It could be - - It  
 10 could be you and you if you want to - - anyone  
 11 else who want to - -  
 12 THE WITNESS: It was a supper club, you  
 13 know. You can come in and get burgers, fries,  
 14 fish, whatever.  
 15 CHAIRMAN BOHL: Is this menu that's - -  
 16 that's proposed here, at least that was submitted  
 17 as a plan of operation, and you - - I don't know  
 18 if you wish to formalize that, because I know  
 19 that it was something that - - that was provided,  
 20 at least, to the alderperson, and we have - - we  
 21 have had that provided for us in - - in our  
 22 agenda. Were you privy to what was submitted  
 23 here? Was - - Is that a larger menu than,  
 24 perhaps, what you had at the Onyx, or was it  
 25 somewhat similar? Maybe either you or - - or Mr.

00114

1 Brown, whatever.  
 2 THE WITNESS: Well, I can speak to  
 3 that. Yeah, actually, the menu that we're going  
 4 to have here is going to be larger. As the Onyx,  
 5 we were only open a few days a week primarily.  
 6 That's with the special event. And that was  
 7 Tuesday, Friday and Saturday mostly, and some  
 8 Sundays, some Thursdays, you know. Let them know  
 9 what day, New Years and on the Fourth of July.  
 10 But definitely the menu would be expanded here.  
 11 We won't get too crazy with it, because it's been  
 12 our experience that less is more, more things  
 13 that you - - that you can concentrate on  
 14 specifically. And I reference Elsa - - Elsa's.  
 15 CHAIRMAN BOHL: You're not - - You're  
 16 not seeking to compete against the Greek style  
 17 family establishments that have everything under  
 18 the sun. You're - -  
 19 THE APPLICANT: Well, my belief to that  
 20 question is, I don't believe that - - And I'm  
 21 sure they'll agree. I don't believe we can  
 22 compete with them. But I also don't believe they  
 23 can compete with us, with what we're going to  
 24 have. We're going to have different spices and  
 25 whatnot that we'll distinguish ourself

00115

1 differently from them.  
 2 CHAIRMAN BOHL: Thank you. Thank you  
 3 for your testimony. If you just want to hold on  
 4 here. Questions by committee? Alderman Kovac?  
 5 ALDERMAN KOVAC: Yeah, along those  
 6 lines. Does Onyx serve food now?  
 7 THE APPLICANT: I can't really speak to  
 8 what they do now. I haven't been there since our  
 9 break-up. But we did have a restaurant, a full -  
 10 - a full restaurant in there.  
 11 ALDERMAN KOVAC: What percentage of  
 12 your business, when you were involved, was food?  
 13 THE APPLICANT: I'd say it was probably  
 14 more along the lines of 15, 20 percent. It  
 15 wasn't much. It was pretty much finger foods,  
 16 you know, wings, burgers, fries and catfish  
 17 dinners. But - -  
 18 ALDERMAN KOVAC: And is that what  
 19 you're anticipating here?  
 20 THE APPLICANT: No, actually we want to  
 21 expand the menu. This would be more of a sit-  
 22 down restaurant, as we'll be operating more days  
 23 as a restaurant than we would a lounge component.  
 24 There would be more - - more variety and it would  
 25 be primarily a restaurant, more so than a lounge.

00116

1 And then if you want to be going to percentages,  
 2 we're anticipating between 30 and 35 percent with  
 3 the alcohol component or lounge component, if you  
 4 will.  
 5 ALDERMAN KOVAC: Wait. 30, 35 percent  
 6 would be food?  
 7 THE APPLICANT: That would be alcohol.  
 8 ALDERMAN KOVAC: So you think you're  
 9 going to get 65 percent food?  
 10 THE APPLICANT: Oh, definitely. We're  
 11 going to be open six days a week as a restaurant  
 12 - - as a restaurant, and then two days was a  
 13 lounge component with, you know, an occasional  
 14 day, like I said, New Years or - - or Fourth of  
 15 July or, what do we have coming up now? We have,  
 16 St. Patty's Day, that we're looking forward to  
 17 that. Whatever day that falls on. You know, may  
 18 open now.  
 19 ALDERMAN KOVAC: March 17th.  
 20 THE APPLICANT: Yeah, yeah.  
 21 CHAIRMAN BOHL: Yeah, usually it's  
 22 March 17th here. All right. Were there any  
 23 other questions of our witness here? Any follow-  
 24 up?  
 25 ALDERMAN KOVAC: No.

00117

1 CHAIRMAN BOHL: Thank you. Were there  
2 any other individuals in the audience who are  
3 here in support of the license?

4 THE APPLICANT: We lost - -

5 CHAIRMAN BOHL: No, and if you had  
6 additional - - additional testimony here at this  
7 time we'll allow you to provide that. Then we'll  
8 hear from the local alderman. Go ahead, please.

9 MR. MITZ: We lost a few people, I  
10 think, along the way.

11 THE APPLICANT: I spoke with Mayor  
12 Pratt in the corridor. He said he'd be back, so.

13 MR. MITZ: Oh, can we have a couple  
14 moments?

15 CHAIRMAN BOHL: Well, no. Why don't  
16 you - - Why don't you, if you have additional - -  
17 If you have additional presentation, why don't  
18 you go ahead and do that. We'll allow Mayor  
19 Pratt, if he comes in, to provide that testimony  
20 when he comes in.

21 THE WITNESS: I'm going to start.

22 MR. MITZ: Yeah, go ahead.

23 COURT REPORTER: Could you state your  
24 name?

25 THE WITNESS: Yes, ma'am. I planned on

00119

1 had pointed out several people were "off the map"  
2 and you didn't have to be that far off - - to be  
3 off of the map, theoretically, as even  
4 individuals that could have been on the map that  
5 would have been much further than where they  
6 resided. That was my only thing. Go ahead.

7 THE WITNESS: I'm chagrined. I spent  
8 six years in the military. I read maps. I know  
9 the whole nine, but that wasn't up to my  
10 standards, so.

11 Okay. So to that extent, you know,  
12 these - - these meetings are always very  
13 interesting. My brother and I, we've been in  
14 this game, so to speak, for a long time. We've  
15 helped other individuals build businesses and  
16 whatnot and made millionaires of guys in this  
17 industry. We've learned from some of the guys  
18 who came before us, Elvis Jones, who sat in front  
19 of this committee, Gene Simmon of the world, and  
20 we just - - we took a bit of what they did with  
21 their establishments over the years and tailor-  
22 made the Onyx into what everybody looks at now as  
23 arguably Milwaukee's best African American  
24 nightclub. Okay.

25 To that extent, when we got into - - or

00118

1 doing that just now. Edward A. Brown, Jr.  
2 Brown, traditional spelling. My mailing address  
3 is 3206 North 11th Street, Milwaukee, Wisconsin  
4 53206.

5 CHAIRMAN BOHL: I got a question for  
6 you. Is that on the map here?

7 THE WITNESS: It ought to be. Speaking  
8 of that, too. I want to apologize to everybody  
9 present for the map. I was the one who went out,  
10 canvassed, I don't know how many printers on  
11 Saturday, to get this map done. And what they  
12 did, they wound up pulling up an image on Google  
13 Map or whatnot, and they tried to center it as  
14 best as possible. Well, it just got to be nuts  
15 and I - - I - -

16 CHAIRMAN BOHL: No, and I - - I  
17 understand. I just - - And - - And I even  
18 understand, among other things, you're looking at  
19 several - - several competing businesses that all  
20 - - that aren't that far, and, you know, you're -  
21 - you're putting them on the map, as well, too.  
22 I fully understand that.

23 THE WITNESS: Yes, sir.

24 CHAIRMAN BOHL: I only wanted to raise  
25 the point that, you know, your - - your attorney

00120

1 ran into our impasse with our former ownership  
2 group that was there, they're still there now, we  
3 divested ourselves in January of 2008. We  
4 started a trucking company. We transferred  
5 freight all over the country from Maine to  
6 California. That's what my brother and I do, and  
7 the gentleman who just spoke is our food manager.  
8 We sort of got the bug again and said, man, let's  
9 go out. Let's look for a venue. Let's put  
10 something together that we can bring people to,  
11 like we did before with the Onyx. We had elected  
12 officials. We had off-duty officers, off-duty  
13 firefighters. That was the tone of the venue  
14 that we put together. With an age distinction of  
15 30 and up. People said it would not work up  
16 there. We showed them that they were wrong.

17 As we canvassed the City, this has been  
18 effort that's been two years in the making. We  
19 found this venue, World of Wings, 2116 North  
20 Farwell, actually in 2007. And at that time it  
21 was - - It was on - - It was on its last legs,  
22 I'll say that. It went vacant, I believe, in  
23 early 2008. We went back and re-visited the  
24 place. At the time the economy was starting to  
25 collapse a little bit, and we thought the rents

00121

1 were just ridiculous for that venue per square  
 2 foot. We waited out, waited out, waited out.  
 3 Came back and talked with Mr. Kesselman. Mr.  
 4 Kesselman informed us that they had come down on  
 5 the rents a bit. He told us about the opposition  
 6 that we would face. He gave us the histrionics  
 7 of what happened with the last provider, the  
 8 gentleman who once owned it, and what he went  
 9 through. My brother and I and my family, we  
 10 thought with our background, with our acumen,  
 11 with our pedigree for this industry, we figured  
 12 there's no way that we can be denied. That's not  
 13 to - - That's not to sound arrogant. But what it  
 14 - - What it meant is, and it just - - just in a -  
 15 - in a layman's way of looking at things, when  
 16 you work hard and do the right things in life,  
 17 you usually get what you want. Typically, that  
 18 works. Life isn't always that way, and we  
 19 understand that. But to that extent, as we went  
 20 forward and devised our business plan and put  
 21 together our business model, you guys will  
 22 probably recall, I have literally been sending  
 23 you guys, this body, this assembled body, e-mails  
 24 on our business plans and our projections. I  
 25 think at one point you actually had numbers to

00123

1 nightclub. But the last place that we had had -  
 2 - It was a restaurant, social lounge, supper  
 3 club. My brother talked about the menu, the food  
 4 we served there. I don't - - I don't know what  
 5 else we have to do - - I don't know what else we  
 6 have to say to make people understand that this  
 7 is going to be a restaurant. I can understand  
 8 the opposition. The residents are 1,000 percent  
 9 correct. I share their concerns. Any smart  
 10 prudent businessman is going to have the concerns  
 11 of the residents at heart when he goes forward  
 12 with a plan if it includes putting that business  
 13 in an area that is sort of semi-residential,  
 14 whatever you want to call it. I absolutely  
 15 understand their concerns. But I think when you  
 16 listen to the testimony, you're hearing a lot of  
 17 things that aren't necessarily true. They sort  
 18 of sound like major reactions to being force-fed  
 19 this line about nightclub, nightclub, nightclub.  
 20 And listen, I'm an African American  
 21 male, so I can speak candidly to this fact. I  
 22 know the history of the clubs in our City.  
 23 Particularly, the ones that we tend to go to.  
 24 There is a history of violence. It is what it  
 25 is. It's something I'm ashamed of. There is a

00122

1 support what we're talking about. And as we've  
 2 gone on, we've added actually the menu to it,  
 3 which you guys have seen, which I think holds  
 4 about ten different menu items or whatnot. My  
 5 brother mentioned about being less is more.  
 6 We're going to keep it at about that.  
 7 I'm only mentioning all that stuff,  
 8 ladies and gentlemen, to tell you this, that  
 9 there is nobody, in my opinion, more qualified to  
 10 operate this kind of a venue, than the two  
 11 individuals you're seeing right here, sitting  
 12 today, my brother and I. We got our mom and dad  
 13 on board. They're going to be a different kind  
 14 of support. I wish we had brought them on board  
 15 in the Onyx thing. We wouldn't be going through  
 16 that impasse now in Civil Court. But that is  
 17 what it is. But it's never too late to learn a  
 18 lesson. So this time, this is going to be a  
 19 total family venture. You know, when you - - One  
 20 of the frustrating things about this whole  
 21 exercise has been you keep hearing verbiage, you  
 22 keep hearing people saying that this is going to  
 23 be a nightclub, nightclub, nightclub, nightclub.  
 24 And for me, it sort of suggests something,  
 25 whenever you see us walk in a room, you think

00124

1 cadre of individuals out here in our community  
 2 who don't know how to act when they go out. We,  
 3 at Onyx, built a place that doesn't have that  
 4 history, a place that had over 40,000 patrons  
 5 coming in every given year, '05, '06, '07. If  
 6 you look at the numbers, the combined numbers of  
 7 people coming. This people won't have half that  
 8 amount of people coming out to the venue. I only  
 9 mentioned the numbers of people coming out, when  
 10 you look at the police incident reports, you  
 11 don't see shootings and stabbings and robberies  
 12 and muggings. You see three fights from 2005 - -  
 13 December 16th, 2005 up to January 1, 2008. Well,  
 14 we left. I'll - - I'll put that record up  
 15 against anybody.  
 16 And I mention that in this context,  
 17 because when we went to the meeting, everything  
 18 I'm telling to you guys here, I told the  
 19 assembled body. We took their questions. They  
 20 asked about parking. We showed them the over 189  
 21 parking slots that we add to our - - that we have  
 22 at our - - at our disposal. We talked about the  
 23 deal we have with Thermo Fisher Scientific, the  
 24 lot that the - - that the alderman referenced  
 25 earlier, with all respect. We talked about the

00125

1 deal that we have. They're just waiting on us to  
 2 get a license, to get out of their faces.  
 3 They're sick of me calling them every day, say,  
 4 hey, we're coming, we're coming, we're coming.  
 5 Well, today we're here. And what we're here for  
 6 today is to impart to this body that we are  
 7 absolutely 1,000 percent humbly at your feet, and  
 8 letting you know that we're qualified to run this  
 9 venue. This is not an issue of what we're going  
 10 to do and damage - - and how we're going to  
 11 damage the neighborhood. This is about how we're  
 12 going to be a part of the neighborhood. We're  
 13 talking about an area of the City that just lost  
 14 four businesses due to what the Mayor of this  
 15 town is saying is arson. Okay, fine. And people  
 16 that talk about concentration, you don't see a  
 17 need for a venue such as this after you lost four  
 18 businesses to a fire. It just smacks of  
 19 something different to me. I understand  
 20 resistance, and that's fine. But this doesn't  
 21 seem to be just that. This seems to be a bit  
 22 more.

23 And I'm not calling anything else into  
 24 question other than what has been said so far. I  
 25 heard one women, she spoke to the fact that,

00126

1 well, the Brown brothers, they canvassed the  
 2 area, but they went to the houses where  
 3 transients live. Well, you know, if you look at,  
 4 I'm not going to pull up the crudely set up map,  
 5 but we're talking streets that - - We - - We went  
 6 to the streets that have lined, if you will, with  
 7 our business. And there were eight on one, eight  
 8 houses on one. I don't know if they are  
 9 transients or not. We didn't look at them like  
 10 that. We went up Boltman Avenue. There were  
 11 nine more houses. We left the same materials  
 12 that I afforded you guys. I didn't get one call  
 13 back from anybody or resistance to it. We have a  
 14 bunch of people tell us, hey, when you going to  
 15 have that turkey dinner. When you going to have  
 16 the pot roast? I said, well, we had to get the  
 17 license first. That's the way these things work  
 18 in the City of Milwaukee. We didn't have any  
 19 resistance.

20 The body that came to the meeting we  
 21 attended on January 14th, and they were very,  
 22 very nice. Very kind. They spoke their mind. I  
 23 agree with Alderman Kovac to an extent. He  
 24 talked about how he looked at it or he viewed the  
 25 tone of the meeting a little bit differently than

00127

1 we did. Maybe the reason we looked at it so  
 2 positively is, I think, and now, I'm addressing  
 3 my family, as well, is because everywhere else  
 4 we've gone in the City and tried to do things,  
 5 there's been nothing but doors slammed. Because  
 6 all they saw was this. Just being honest with  
 7 you. East side opened up to us. They talked to  
 8 us. Asked their questions, and we answered them.  
 9 Answered them as best we could. Didn't lie to  
 10 them. Alderman, all I can tell you - - I told my  
 11 mom on the way here. I said, it's akin to being  
 12 asked over and over, what's two plus two, what's  
 13 two plus two. And then you say four. These two  
 14 components plus these two components equal four.  
 15 But they looked at us after awhile like we were  
 16 saying three and five. I don't know if you've  
 17 ever been in that position before, but it's very  
 18 frustrating. But it's what we've had to deal  
 19 with. It's what we're used to. We keep on  
 20 going. We're humble with this thing. We don't  
 21 think we're better than anybody, but we know our  
 22 craft. We know our business. If this thing  
 23 didn't have the parking, we wouldn't even have  
 24 looked at the building. In fact, this is the  
 25 only reason that we settled on it was because of

00128

1 the parking that was made available to us.  
 2 So in that, I'll say this, and I'll  
 3 close. I'm not the licensee. I didn't speak  
 4 earlier, sir, when you allowed us to address the  
 5 whole panel again, because I'm not necessarily at  
 6 this point a member of the Silverstien Group,  
 7 LLC. So I didn't - - You asked for members of  
 8 the LLC to speak. But I will be a bartender at  
 9 the place. I'm on-line doing my thing now with -  
 10 - with respect to my bartender license  
 11 application.

12 CHAIRMAN BOHL: In that case you're  
 13 well beyond your two minutes.

14 THE WITNESS: Okay. So - - So - -

15 CHAIRMAN BOHL: I'll give you some  
 16 latitude.

17 THE WITNESS: Okay. Thank you, sir.  
 18 And I'll just - - I'll just say to - - to that  
 19 end of it. We - - We have done everything that  
 20 we could. We - - We spoke with a Mr. Knoll who  
 21 lives on Farwell. Gentleman said he's lived  
 22 there 19 years. I asked him about - - I asked  
 23 him about a block club. In part of my past life  
 24 I was an Executive Director of Project Respect,  
 25 and I know about block club information and



00129

1 whatnot. Even if the alderman wants to. And I  
 2 asked him about a block club. He said there  
 3 hasn't been one here as long as I've been here.  
 4 And I said, sir, well, if we get here, are you  
 5 interested in doing something like that? And he  
 6 said, yes. And the reason I mention that, and I  
 7 went to him like that, was because I remember  
 8 Mister - - Mr. Plaisted told us in an earlier  
 9 meeting that the building sits in what's called  
 10 basically a no-man's land. Alderman Kovac talked  
 11 about the boundaries and where we are, how we're  
 12 situated and whatnot. Well, that's an area that  
 13 does need representation. Whether we get the  
 14 license here today for that venue, the area still  
 15 needs representation in terms of a block club.  
 16 And, hopefully, people watching on TV, who live  
 17 there will pick it up and do the civic minded  
 18 thing and put something together, so you can  
 19 protect your area. But if we get there, you can  
 20 best believe one of the Brown brothers are going  
 21 to be putting something together in the area,  
 22 maybe a block club, whatever, electing a captain  
 23 and going forward, so we can address different  
 24 concerns that do arise. You'll find that we're  
 25 not absentee owners. We're not the guy who is

00130

1 sitting on some beach in Cancun somewhere. There  
 2 was an issue last night, this isn't that kind of  
 3 a venue. This venue is going to be a restaurant.  
 4 As we've done our research, we've  
 5 researched and understood that we have to have an  
 6 entertainment component to this thing. I talked  
 7 to the manager at Capital Grill. They want to do  
 8 something now where they bring on entertainment a  
 9 little bit to help augment what they're not  
 10 making in this bad economy. I talked to the guy  
 11 at Yanni's before he went under. We looked at  
 12 Yanni's. We were going to get Yanni's. We had a  
 13 lease in place with Joel Lee. Backed out at the  
 14 last minute in favor of a better place. This  
 15 place was a better place. So as I say that,  
 16 guys, I just - - I really appreciate your time.  
 17 I'm seeing you in the gym multiple times,  
 18 Alderman, and, you know, I just want to say to  
 19 you, I don't bother you on the treadmill. I see  
 20 you do your thing, but we're qualified. We're  
 21 ready.  
 22 CHAIRMAN BOHL: I work awfully hard out  
 23 there.  
 24 THE WITNESS: I see you, man. I leave  
 25 you alone. I don't even bother you. I leave you

00131

1 alone. Thank you very much.  
 2 CHAIRMAN BOHL: Thank you.  
 3 ALDERMAN KOVAC: Mr. Chair.  
 4 CHAIRMAN BOHL: Questions. Alderman  
 5 Kovac.  
 6 ALDERMAN KOVAC: A couple things. On  
 7 - - On this two plus two equals four issue and  
 8 the word nightclub. Was it you or your brother  
 9 that described this place as Elsa's with a dance  
 10 floor?  
 11 THE WITNESS: Yes, I am. That was me.  
 12 ALDERMAN KOVAC: I mean, so you're  
 13 saying it's a restaurant, but it's not a  
 14 nightclub. But I think what you're really saying  
 15 is it's a restaurant and a nightclub, sometimes.  
 16 Am I correct?  
 17 THE WITNESS: Well, actually - - See,  
 18 let's get into this. The tavern and dance  
 19 component allows us to have, like you heard Mr.  
 20 Nixon talk about, the poetry.  
 21 ALDERMAN KOVAC: I get that, but I just  
 22 want - - On the two plus two equals two issue.  
 23 THE WITNESS: Yes.  
 24 ALDERMAN KOVAC: So you're saying  
 25 you're definitely going to be a restaurant.

00132

1 THE WITNESS: Absolutely.  
 2 ALDERMAN KOVAC: You're also going to  
 3 be - - You don't want to use the word, nightclub,  
 4 so we'll use some other euphemism, and I - - And  
 5 I'm concerned, because I think in the comments  
 6 you made about the fact that you're African-  
 7 American, and I - - I just - - I don't deny that  
 8 this is a City where that comes up and that's an  
 9 issue. You - -  
 10 THE WITNESS: It is. It is.  
 11 ALDERMAN KOVAC: But - - And I can  
 12 speak for myself and I think I can speak for the  
 13 people I know well in the neighborhood this is  
 14 on. As you spoke from the way you were treated,  
 15 you said some nice things about the way you - -  
 16 you were - - I don't think that was the issue. I  
 17 think the issue frankly was what kind of venue is  
 18 this going to be in terms of. So whatever you  
 19 want to call it, I heard you call it a Las Vegas  
 20 style lounge and supper club. And Elsa's with a  
 21 dance floor. I mean, the fact is this is a big  
 22 place with the possibility of a big dance floor.  
 23 THE WITNESS: Um-hnh.  
 24 ALDERMAN KOVAC: And it's going to  
 25 happen at night. And you don't want to use the

00133

1 word, club, but - -  
 2 THE WITNESS: Well, I'm glad you  
 3 brought that up. You mentioned the Las Vegas  
 4 style venue, blah, blah, blah. But, really, sir,  
 5 what we're talking about, if you go back to our  
 6 materials, we describe it as such in terms of the  
 7 decor, how we're going to set it up, the way  
 8 we're going to set this thing up. One gentleman  
 9 used the word opulent, which is a word that was  
 10 in our business plan that I placed there. I - -  
 11 I described it like that, because we're trying to  
 12 set up something here that isn't in the City.  
 13 I've traveled - - I've traveled this country.  
 14 I've seen how different venues operate and how  
 15 they look. I want to bring that same look, the  
 16 same aesthetic value to the building that we  
 17 have. That's the only reference to Las Vegas  
 18 we're talking about, just in the way things look  
 19 when you go to Vegas to venue. That's all it is.  
 20 ALDERMAN KOVAC: But your - - with your  
 21 business plan there will be dancing, a lot of  
 22 dancing potentially at night, big crowd.  
 23 THE WITNESS: Yes, sir. And that is  
 24 absolutely correct. But now, check that. We're  
 25 talking two nights out of the month. 24 times a

00134

1 year. My brother just mentioned to you the  
 2 numbers on what we're expecting to make versus  
 3 liquor versus food. Clearly, I mean, anybody  
 4 looking at this understands what it is. And I  
 5 say the two plus two analogy, sir, just to get  
 6 back to that point. I was talking about the  
 7 frustration related to somebody asking you over  
 8 and over and over, what are you going to do?  
 9 What are you going to do? And then they say - -  
 10 And then you tell them what you're going to do,  
 11 and they still look at you like you told them the  
 12 wrong answer. I don't necessarily know how else  
 13 to - - how else to come. I'm being as candid as  
 14 I can be, as open as I can be.  
 15 ALDERMAN KOVAC: Thank you.  
 16 THE WITNESS: Hope I'm not shouting  
 17 here.  
 18 CHAIRMAN BOHL: Other questions? Thank  
 19 you for your testimony. At this point here I  
 20 just want to - - I don't know if you have a copy,  
 21 a hard copy to provide, but we'll - - we'll  
 22 entertain a motion by Alderwoman Coggs to make  
 23 the plan of operation, that I believe you  
 24 probably would have submitted to the local  
 25 alderperson, as well as a copy of the menu, and I

00135

1 believe in our - - in our disk document here that  
 2 would be pages 75 through 86, part of the  
 3 official record in this proceeding, and hearing  
 4 no objection to that, so ordered then.  
 5 Any additional commentary here?  
 6 Alderman, did you - - did you want to provide  
 7 some additional commentary or input, if you want  
 8 to introduce the map? I didn't - - I'll provide  
 9 you an opportunity for a closing. I didn't know  
 10 if there was anything else to the presentation  
 11 here.  
 12 MR. MITZ: Yes, thank you.  
 13 ALDERMAN KOVAC: Yeah, I've - -  
 14 CHAIRMAN BOHL: And can you - - Can you  
 15 ensure that - - Here, can we make certain that a  
 16 copy gets presented to the - - the applicants, as  
 17 well, too? Alderman Kovac would move to make the  
 18 concentration map, dated February 10, 2010,  
 19 centered on a geographic location, one square  
 20 mile around 2116 North Farwell Avenue, part of  
 21 our official record in this proceeding. Are  
 22 there any objections to that? Hearing none, so  
 23 ordered. Alderman Kovac?  
 24 ALDERMAN KOVAC: You want me to assess  
 25 the map now or?

00136

1 CHAIRMAN BOHL: Well, or however you  
 2 wish to provide input or.  
 3 ALDERMAN KOVAC: Yeah. I'm, you know,  
 4 in the 3rd District pretty much every area is  
 5 concentrated, so I never think that concentration  
 6 just enough is a reason to - - to weigh in one  
 7 way or the other, but I think it provides good  
 8 context for the committee to see where. You see  
 9 there's a couple clusters here of a lot of  
 10 licenses on - - on Brady and on North. I think  
 11 some - - a lot of the residents and the business  
 12 association have said that that's sort of what -  
 13 - what we're shooting for in terms of contextual  
 14 zoning, I guess, or contextual licensing, that  
 15 there are entertainment districts. There are  
 16 people that used to and will, again, live above  
 17 where Pizza Man used to be. And do the people  
 18 who live there have a slightly different sense of  
 19 what peace and quiet is than someone who lives  
 20 two blocks north or two blocks south? Probably.  
 21 And so - - Now, that doesn't mean that  
 22 North Avenue is anything goes, and I think - - I  
 23 think the residents are - - I think you heard  
 24 some talk from residents how grateful they are at  
 25 the business association for trying to draw a

00137

1 line. Now in these types of things you can never  
 2 draw a firm line. There's always, oh, make an  
 3 exception for this really good business plan or  
 4 this works for this reason. I mean, every little  
 5 plots different. But I think, in general, both  
 6 Brady Street and North Avenue are saying we want  
 7 - - we don't want to be issuing new liquor  
 8 licenses unless - - unless there's a heavy food  
 9 component. And there are dance licenses on both  
 10 streets but to, you know, to do - - to do more  
 11 nightclubs on any one of those streets, I think,  
 12 is a direction the streets are trying not to go  
 13 in. I think it's a direction, frankly, that  
 14 Brady Street has probably pulled off a little  
 15 better than North Avenue so far in terms of the  
 16 balance. But North Avenue is getting there,  
 17 hopefully. There was just an art - - a front page  
 18 article on the Shepherd's Express about this  
 19 whole concept.  
 20 So - - And I told you from the  
 21 beginning when you called, I said - - I said I  
 22 think the liquor license is going to be  
 23 controversial enough, as you know from the  
 24 experience with WOW. I mean, that was not  
 25 necessarily something everybody wanted. But I

00138

1 said, I'm almost positive people are not going to  
 2 like the dance aspect. And I said that before I  
 3 ever met you, just talking to you on the phone.  
 4 And that's what - - what's turned out to be the  
 5 case.  
 6 I'll say one thing about the timing. I  
 7 tell everybody with a new license, you've got to  
 8 meet with the local group. Now in some cases,  
 9 who the local group is is a little easier than  
 10 others. In your case, since you were right on  
 11 the border of the BID, I said, why don't you work  
 12 through the BID primarily, but I let you know  
 13 there were some other groups. And I think, I  
 14 said, meet with the BID, and then other people  
 15 will hopefully go to that meeting. So we don't -  
 16 - Rather than have you run around and meet with  
 17 three different groups, I gave you one meeting,  
 18 and listen, the meeting happened January 14th. I  
 19 don't - - It certainly wasn't me dragging my feet  
 20 saying - - I mean, I said, meet - - I tell  
 21 everybody, meet with - - You got to meet with the  
 22 local group first and then come to this  
 23 committee. So the fact that it's been a month  
 24 since you met with the BID and you're being  
 25 heard. So on the issue of timing, I just - - I

00139

1 understand that sometimes on the outside looking  
 2 in it might not seem transparent, but I'm telling  
 3 you this is the same thing I tell everybody. And  
 4 to be scheduled a month after you met with the  
 5 neighborhood is a pretty quick turnaround, given  
 6 - - given the fact it takes us a couple weeks to  
 7 mail stuff and notice everybody.  
 8 And, you know, the - - It was a long  
 9 meeting. It was a long meeting, because people  
 10 had a lot of questions. I mean, yes, sometimes  
 11 that you come to - - at both the North Avenue  
 12 BID, the Brady Street BID, other groups, do you  
 13 meet and they vote right then and there?  
 14 Sometimes. But usually - - I've been to their  
 15 meetings before. They always ask the applicant  
 16 to leave during the vote. It's just general  
 17 procedure. In the case of yours, yours went on  
 18 so long they - - they don't have the same - -  
 19 Well, actually they do have the same quorum rules  
 20 that we do. But, you know, a lot of the people  
 21 who had comments had to go. So the - - And  
 22 frankly, they scheduled a special meeting just to  
 23 discuss this, because the timing was an issue  
 24 that you had been bringing up a lot. So we - -  
 25 So they made a commitment to you at that meeting.

00140

1 You will be on the next one, even though it's  
 2 forced them to have a special meeting, which - -  
 3 where they unanimously said they don't want the  
 4 dance. Everyone who lives anywhere near, you can  
 5 get out the push-pins, if it's two blocks, four  
 6 blocks, I haven't heard anyone, other than some  
 7 hearsay of people you've talked to, and even they  
 8 were talking more about the turkey club than the  
 9 dance. I haven't heard anyone say I can't wait  
 10 for a dance club to open up right there. And I  
 11 think part of - - when you look at this map,  
 12 you'll see, I don't think North or Brady Street  
 13 wants any more dance venues. But given that  
 14 there's already a concentration of nighttime  
 15 activity there, having a couple dance licenses  
 16 mixed in with the dozens of other licenses there,  
 17 that is what it is. You're looking here, you're  
 18 right next to a bike shop. Yeah, you have Cafe'  
 19 Group. That's number 72 on this map down the  
 20 block. You've got Comet. Certainly, there's - -  
 21 there's a context for successful restaurants on  
 22 this Farwell corridor. But this is an area where  
 23 - - right where you are, there's a big parking  
 24 lot.  
 25 And on the parking lot. One of the

00141

1 things. You mentioned that you had it locked in  
 2 at Yanni's, and then at the last minute the lease  
 3 fell through. Okay. Until I hear from Thermo  
 4 Fisher, until I see something in writing - - I  
 5 bring this up just I'm not convinced you're going  
 6 to get that parking lot. Because I know they - -  
 7 I know that many people, you probably - - Many  
 8 people have tried to negotiate for that lot, and  
 9 their - - their main priority is to keep their  
 10 business going and keep their parking going for  
 11 their employees. I don't think you're ever going  
 12 to see all of their lot, all the parking. They  
 13 might - - And I think we discussed that. They  
 14 might fence off a bit or here. But until I see  
 15 something in writing, I don't know that that's  
 16 locked in. But frankly, the parking issue is  
 17 probably not the main issue here.

18 The main issue is following the law or  
 19 not, the type of activity that tends to go along  
 20 with a large venue that gets a large crowd that  
 21 stays until bar time that has a good time. Yes,  
 22 Milwaukee needs places like this. But the  
 23 question is, you know, there's spots for it. And  
 24 the fact that this place is a little bit, I don't  
 25 know if I'd use the phrase, no-man's land, but

00142

1 the immediate block, there's nobody living there,  
 2 hardly. I mean, not - - Well, across the street  
 3 there's a few and then on the other side there's  
 4 some apartment buildings. But the residential  
 5 neighborhood tends to be a block or two away,  
 6 which I could see on the one hand you'd say,  
 7 well, this is perfect. It's tucked away.

8 THE APPLICANT: Um-hnh.

9 ALDERMAN KOVAC: On the other hand,  
 10 being tucked away like that, prevents all the  
 11 other eyes on the street, and you being a part of  
 12 the larger mix of things. And also, creates a  
 13 new context for neighbors. Who, yes, they know  
 14 North Avenue is there. Every now and then it  
 15 creates some hassle, but for the most part,  
 16 there's quite a few blocks between North and  
 17 Brady. There are historic homes where you have  
 18 quite - - quite a few people that are living in  
 19 the incredible proximity to entertainment  
 20 districts, but not in one. And I think this  
 21 expands that, especially with the dance license.

22 I think, from everything I've heard,  
 23 there's nobody that's dead set opposed to you  
 24 opening a restaurant there. People have  
 25 concerns, and things can go the wrong way with a

00143

1 restaurant, but everything I've heard, everybody  
 2 who lives in there does not want this kind of  
 3 opening up the flood gates on the dance license.  
 4 So I don't know if now's the time for a motion,  
 5 or you want - -

6 CHAIRMAN BOHL: No. No. They get to  
 7 provide closing.

8 ALDERMAN KOVAC: Yeah. But that's been  
 9 - - That's been my experience with this, and I -  
 10 - And I know you said you've talked to a few  
 11 people, but the comments I've gotten have not  
 12 been along those lines. So that's - - And, you  
 13 know, and I saw this coming, too. I mean, when  
 14 you first called, that's what I said. You know.

15 CHAIRMAN BOHL: Thank you. Were there  
 16 questions that any members of the committee have  
 17 of - - of Alderman Kovac? Any questions that you  
 18 have, that you wanted to pose?

19 MR. MITZ: I'm sorry.

20 CHAIRMAN BOHL: Mr. Mitz. Were there  
 21 any questions you - - you had that you wanted to  
 22 pose of the - - the comments made by Alderman  
 23 Kovac?

24 MR. MITZ: No.

25 MR. BROWN: I would, though. Thank you

00144

1 for your time, Alderman, as well.

2 CHAIRMAN BOHL: If I - - Were you  
 3 hoping to make a closing here or?

4 MR. BROWN: Okay.

5 CHAIRMAN BOHL: What I want to do is,  
 6 is you have an attorney that represents the  
 7 applicant. You are neither the applicant - -  
 8 Now, you may be related, but you've even  
 9 indicated you're not part of the LLC. You're not  
 10 - - If the applicant wants to make a question - -

11 THE APPLICANT: Well, I do - - I - -

12 CHAIRMAN BOHL: - - or your attorney  
 13 wants to raise a question. Otherwise - -  
 14 Otherwise, some member in the general body is  
 15 going to want to come forward and raise a  
 16 question, too. And I understand that there's - -  
 17 I gave you some additional latitude well beyond  
 18 two minutes, knowing that you at least have some  
 19 tertiary interest in the place. But I just  
 20 wanted to say that for that reason here. So.

21 THE APPLICANT: Well, I wanted to kind  
 22 of based on - - on the assertion by the alderman  
 23 that we don't have a deal in place with this  
 24 parking lot, and he hasn't heard, or however he  
 25 phrased it. I don't have any reason to lie, you

00145

1 know, basically. And it's my recollection when I  
2 first sat and talked to you, you said parking  
3 wasn't an issue. That's what I remember you  
4 telling me you said. I understand parking is not  
5 an issue, because you were aware of this parking  
6 place across - - across - - literally, across the  
7 street from the venue. That place there, we have  
8 had negotiations with. We just haven't closed on  
9 how many spots we're - - that we're going to  
10 take. But we have all 110 of them available to  
11 us, as I stated earlier. So parking is  
12 definitely not an issue. I don't even know why  
13 that's even being brought up at this late day  
14 after - - after everything that we testified to.

15 The other thing you brought up is about  
16 the neighbors. You haven't heard anyone say  
17 they're in favor of the license. Well, we have,  
18 you know, and, you know, we're under oath here.  
19 You know, we have no reason to lie about that.  
20 We spoke to the neighbors who are immediately  
21 across the street or across the way from us or  
22 behind us. We didn't go as far as ten blocks  
23 away as the other lady said. We didn't go that  
24 far, because they won't be immediately impacted  
25 by whatever we do there. So that's why we didn't

00146

1 go that far down. But I do understand that there  
2 are concerns for people who stay a block and a  
3 half, or a block or two away, and that's fine.  
4 You know, we're not here initially to sell them  
5 on what we're going to do. We're just here to be  
6 able to - - to prove to you that we have the  
7 acumen and the experience to do what we say we're  
8 going to do, and we have the track record to  
9 prove it, as well. That's - - That's all.

10 CHAIRMAN BOHL: Mayor Pratt, did you  
11 want to provide any testimony on this here? You  
12 were sworn in earlier, were you not?

13 THE WITNESS: Yes.

14 CHAIRMAN BOHL: Okay. Come on forward  
15 here.

16 THE WITNESS: Thank you very much. My  
17 name's Marvin Pratt. Marvin Pratt & Associates.  
18 Address is 4045 North 16th Street. I've known  
19 the family here, Marsha and her husband, and Marc  
20 and the two brothers for, I'm going to say, 25 to  
21 30 years. Their grandparents who lived 3200  
22 block on North 11th Street when I first sought  
23 public office. And I'll go just real positive,  
24 very positive family. What I did my - - My role  
25 in this was that I facilitated for them, meeting

00147

1 - - meetings with all the aldermen on the - - on  
2 the committee. And I think they did meet with  
3 all five of you, of the five of you on the  
4 committee.

5 And the other thing I want to say, the  
6 due diligence was that it started back probably  
7 in May or June. In other words, so they've been  
8 doing this or trying to cross the Ts and dot the  
9 ls for at least over six to eight months. And  
10 with that, I - - I can - - I can testify to the  
11 character if - - if you will, say, as a character  
12 witness for this family. This is a very, very  
13 positive family. I expect, just based on how  
14 they operated the previous business, and I did  
15 hear all the testimony, not saying it wasn't some  
16 negatives read into the testimony, but I can  
17 attest to the operation of the previous business  
18 that they ran a very good business, above  
19 reproach. Positive people. And I would expect  
20 if this license is granted, that it would be  
21 beneficial. It would not be a detriment. It  
22 would be positive for - - for that community.  
23 Now, I don't live, obviously, immediately in that  
24 community, but I - - I can attest to that this  
25 family is a positive family.

00148

1 CHAIRMAN BOHL: Thank you. Questions  
2 by committee? Thank you. All right. Anything  
3 else? I know that there was a summation provided  
4 by the applicant here, if you do wish to make any  
5 other brief closing comments.

6 MR. MITZ: I would like to make  
7 comments, if I could, please. First of all, let  
8 me thank the committee for its attention and I  
9 - - I think that I - - I've been a trial lawyer  
10 for over 35 years and, Alderman Bohl, you have  
11 nothing to be ashamed of. I think you did a  
12 really good job, I think more than fair. And I  
13 think I've been in front of a bunch of judges  
14 that didn't do as good a job as you did. And I  
15 want to thank you for your efforts.

16 I haven't known this family, and I do  
17 say, family, for 30 years. I've known them for  
18 about a year. And I can't tell you how impressed  
19 I am with them. They're - - They're absolutely  
20 honorable. They're respectful. And they're - -  
21 This is a matra-focal family. The mother in this  
22 family, Marsha, is a very, very lovely lady.  
23 She's very determined. And we've had  
24 conversations, and she's told me on many  
25 occasions, and I believe her, and it's from her

00149

1 heart, that she wants to run a straight-up  
 2 business. And I think that if the license is  
 3 granted, I think they will.  
 4 And the most important thing is, at  
 5 least in my experience, that you could have the  
 6 best contractor in the world, but if you're  
 7 dealing with a scoundrel, contract isn't going to  
 8 be worth anything. And these are fine people.  
 9 And I think that the people who testified in  
 10 objection to this application, I don't think  
 11 anyone objected to the - - the liquor license for  
 12 the - - for the - - for the restaurant. They're  
 13 objecting to having the additional license for  
 14 the dancing. And that's not going to be the  
 15 focal point. What - - There's some people that,  
 16 I guess, we could talk to all day, and they have  
 17 it in their head, this is - - this is going to be  
 18 a dance bar. It's going to be - - It's going to  
 19 be clubs. It's going to be a dance bar. And  
 20 they don't get it. And I am - - I guess I was  
 21 almost moved to tears by - - by this gentleman  
 22 who I've gotten to know. He can talk and he can  
 23 talk. He can talk. And people don't listen.  
 24 And the bottom line is that the people who - -  
 25 who came here in objection are very, very fine

00150

1 people. They're - - They're nice citizens. And  
 2 I think they're honorable people. But I think  
 3 they're - - they're not detached. I think  
 4 they're eschewed. And what - - I think if we  
 5 boil down, if we hone down what they're really  
 6 saying is, they're saying, we don't any more  
 7 businesses in this - - this area. But that's a  
 8 complaint that's more zoning than this specific  
 9 application. This area is zoned for this type of  
 10 a business. And I don't think that anybody, any  
 11 thinking person, any critically thinking person  
 12 could say, well, we're not going to let them do  
 13 this, because it might happen. And I don't think  
 14 there's such a great consequence that we have to  
 15 error on the side of caution and say, wow, we  
 16 better not let them in there because this might  
 17 happen. I think we have to presume that they are  
 18 going to be honorable. I think you have to  
 19 presume that they're going to follow the law.  
 20 There's no money to be made in angering your  
 21 neighbors. There's no money to be made to have  
 22 to be a sore thumb in the neighborhood.  
 23 This is an investment, quite frankly,  
 24 which will be their life savings. They want this  
 25 to succeed. The only way they can succeed is if

00151

1 they're good neighbors, and they have to be  
 2 honorable, and they have to be honorable with  
 3 their neighbors. The most important thing is  
 4 that if you are looking at a situation, you have  
 5 to presume that people are going to follow the  
 6 law. You have to presume that they're going to  
 7 do the right thing. You can't say, oh, well, you  
 8 know, they're black or they're white or this  
 9 person is that or that's the other thing, and,  
 10 therefore, they're going to act in a certain way.  
 11 I think we have to presume they're going to  
 12 follow the law. They're going - - They're going  
 13 to operate this as a restaurant. They're going  
 14 to have entertainment on a couple of days during  
 15 the week. And they're going to be a good  
 16 neighbor. The most important thing that I would  
 17 see, one of the most critical things, is parking.  
 18 Because I've been in that neighborhood. There's  
 19 no place to park. And I don't know many places,  
 20 other than one lady here said, oh, well I have an  
 21 Indian restaurant in the neighborhood has valet  
 22 parking. I said, how did that work? Wow, great.  
 23 It works really well. And that's what they're  
 24 going to do. They're going to have valet  
 25 parking. You don't want to valet, they're going

00152

1 to have lot parking. I think Alderman Kovac's  
 2 concern is misplaced. They can't sign a contract  
 3 with someone who owns a parking lot if you don't  
 4 have a license, because that's - - that's a  
 5 lawsuit in the making.  
 6 ALDERMAN KOVAC: You can do a  
 7 contingency.  
 8 MR. MITZ: I'm sorry?  
 9 ALDERMAN KOVAC: You just put in a  
 10 contingency.  
 11 CHAIRMAN BOHL: If you would just allow  
 12 him to finish, please.  
 13 ALDERMAN KOVAC: Everybody does it that  
 14 way.  
 15 CHAIRMAN BOHL: Yeah. Go ahead. I'm  
 16 sorry. Go ahead.  
 17 MR. MITZ: Okay. I didn't interrupt  
 18 you, sir. Thank you.  
 19 And they're doing it, I think, in the  
 20 best way that they possibly can. And that is  
 21 working with their neighbors, working with the  
 22 people who have the parking lots, doing their  
 23 best to do the right thing. And to presume  
 24 they're not going to, or to presume there's a  
 25 possibility that they're not going to and let's

00153

1 error on the side of caution, I don't think  
 2 that's right. I think we have to presume they're  
 3 going to follow the law, and they're going to  
 4 operate this as a restaurant. They're concept is  
 5 incredible. It's going to work. It's going to  
 6 work. It's going to be well received. And I  
 7 think there's going to be a lot of people  
 8 apologizing to them in the long run, and that's  
 9 my prediction. Because they're going to do it  
 10 the right way.

11 So I respectfully request that the  
 12 application be granted. Thank you.

13 CHAIRMAN BOHL: Thank you.

14 ALDERWOMAN COGGS: Mr. Chair.

15 CHAIRMAN BOHL: Questions. Alderwoman  
 16 Coggs.

17 ALDERWOMAN COGGS: For Mr. Brown, just  
 18 in my mind I'm going back through your testimony.  
 19 You spoke about 24 times a year that there would  
 20 need to be entertainment, based upon your  
 21 business plan.

22 THE APPLICANT: Yes. Yes.

23 ALDERWOMAN COGGS: As Alderman Kovac  
 24 stated, there appears to be some objection, not  
 25 so much to the license itself, but to the dance

00155

1 year?

2 THE APPLICANT: Yes, ma'am.

3 ALDERWOMAN COGGS: Without having that  
 4 tavern.

5 THE APPLICANT: Yes, ma'am.

6 ALDERWOMAN COGGS: When you all noticed  
 7 that neighbors had concerns about just the dance  
 8 aspect, had you all given thought to the  
 9 possibility to pursue the permit aspect?

10 THE APPLICANT: Yes, ma'am. Yes,  
 11 ma'am. I'm glad you - - Your question is timely.  
 12 I was going to say an interesting aside to all  
 13 this is that we were e-mailed a compromise of  
 14 sorts by Jim Plaisted, the head of the BID group.  
 15 Where he talked about us potentially going the  
 16 route that you're going, that he didn't  
 17 necessarily have an aversion to us having the  
 18 tavern dance Class "B" liquor license. Let me  
 19 check that. The Class "B" liquor license.

20 Our concern was that if we accept that,  
 21 and there was no guarantee from the Alderman. It  
 22 wasn't the Alderman telling us this. It was Jim  
 23 Plaisted telling us this. If that's his role,  
 24 that's fine. We couldn't guarantee that when we  
 25 do petition the Alderman's office for those

00154

1 component of it, which even with that, I'll be  
 2 honest with you, as a decision-maker over here,  
 3 neighbors' concerns are extremely important, not  
 4 only for our decision-making, but for the success  
 5 of your business. If you go into an environment  
 6 where people don't want you there, it's just a  
 7 matter of time before you're back before us later  
 8 because people are watching you like a hawk. But  
 9 being familiar with the area, having gone to WOW,  
 10 and having had business interests on Farwell a  
 11 block away, myself, in studying that whole - -  
 12 that whole area, it is a little odd for me. We  
 13 can argue about math and all that, that the  
 14 people - - There are homes right across the  
 15 street. There are apartments less than a block  
 16 away. That those aren't the people who actually  
 17 testified today. That's interesting to me. But  
 18 just because you're a couple blocks away, you can  
 19 still be impacted. So everybody who testified  
 20 today had a right to testify. But it is odd to  
 21 me that people right immediately there weren't  
 22 the ones here today. But that happens.

23 But my question to you is this. The 24  
 24 times. Are you aware that the City has a special  
 25 party permit thing, and you can do up to 20 a

00156

1 passes, that we - - we would be given those  
 2 permits, if you will. We can't rest our business  
 3 hopes in the hands of the Alderman. If he gets a  
 4 call, Alderman Kovac gets a call, and somebody  
 5 says, well - - And I'm being honest here. And  
 6 someone says, well, you know, there was an  
 7 incident that occurred three blocks away from the  
 8 venue on a Friday evening. And while they can't  
 9 prove or support any notion that it was because  
 10 of our patronage, what's to stop him from saying,  
 11 well, you know, guys, that thing happened last  
 12 week. You know. It goes back to what I talked  
 13 about earlier, ma'am, in the - - the whole  
 14 eggshell approach. If we're going to do this  
 15 thing, we have to be allowed to run this thing  
 16 the way we are able to run it to pay our numbers.  
 17 It's akin to me, ma'am of telling Walmart, okay,  
 18 we'll give you six party permits or ten party  
 19 permits or 20 party permits to sell your wares on  
 20 these days and this and that and that. You  
 21 wouldn't tell a successful business chain that.  
 22 Would you? But when it comes to us, you want to  
 23 dictate to us how you want us to run our  
 24 business. It's almost like walking in with our  
 25 hands tied. And with all respect to Alderman

00157

1 Kovac, maybe he will give us permits, but that  
 2 was something that was offered to us, and we sat  
 3 as a family and talked with our counsel, and we  
 4 decided, you know what? We're going to load up  
 5 the bear. We're going to go in there and let our  
 6 professionalism speak for us, our pedigree, and I  
 7 keep using it over and over and over, our  
 8 experience in this business, and our track  
 9 record. Our track record, and we're going to let  
 10 that speak for us. If there was some kind of  
 11 guarantee that we could get those party permits,  
 12 which would still fall short of the four that we  
 13 need for the year. I mean, we get 20, I guess  
 14 from the Alderman's office. I talked about 24  
 15 being two times 12 months a year. Maybe we could  
 16 go forward. But I - - And I guess I'd really be  
 17 speaking out of turn without, you know, talking  
 18 to my family about that and asking my brother  
 19 what he feels about that. But, yes, ma'am, to  
 20 answer your question, that was something that was  
 21 offered to us, but we just - - we hadn't heard it  
 22 from Alderman Kovac's office. We heard it from  
 23 the head of the BID group. And we didn't know  
 24 how to take that, honestly speaking.

25 ALDERWOMAN COGGS: I'm just going to

00158

1 put this out there, because you all are  
 2 businessmen, and whatever happens today with  
 3 this, I'm sure there will be other - -

4 THE APPLICANT: Yes, ma'am.

5 ALDERWOMAN COGGS: - - business  
 6 ventures that you all have.

7 THE APPLICANT: We'll look, okay.

8 ALDERWOMAN COGGS: I think that it's  
 9 important to know that City and everyone on this  
 10 committee supports business. We also are so  
 11 accountable to neighbors. So I think the City's  
 12 offered to do the permit thing as that  
 13 compromise. Not as a, particularly, in cases  
 14 like this, where there is some question in the  
 15 mind of those who live there, whether or not  
 16 they'll be able to co-exist with an establishment  
 17 that how they think it will be. I do believe  
 18 that the permit provide an opportunity for - -  
 19 for business owners to demonstrate that how they  
 20 will be, so it's no longer about what you think,  
 21 it's about what is, which afford the opportunity  
 22 for us, as decision-makers and as aldermen, when  
 23 you come back and do ask for the license, we have  
 24 something more to base it on, and that's the  
 25 track record of success when you haven't done the

00159

1 events. But I recognize the choice that you all  
 2 have made as businessmen, as well, and I respect  
 3 that, as well. But that's all - - That's just a  
 4 question I had.

5 MR. BROWN: Ma'am, may I speak to what  
 6 you just said. Is that something if we were to  
 7 consider it, and obviously this isn't the  
 8 committee's job at all. But is that something  
 9 that you ask us to - - Okay.

10 ALDERWOMAN COGGS: At this point - - At  
 11 this point, at this point what would happen is  
 12 you all do have the ability to, if we vote on it  
 13 as is, and if the dance portion does not get - -  
 14 If it totally doesn't pass or if the dance  
 15 portion does not pass, you cannot reapply for a  
 16 year.

17 THE APPLICANT: Right.

18 ALDERWOMAN COGGS: Now if you withdraw  
 19 at this point, you cannot reapply for six months?  
 20 That's the option that you have.

21 THE APPLICANT: Excuse me. Can I speak  
 22 to that. The point of that fact, what they are -  
 23 - I mean, the reason for the tavern dance is  
 24 not solely just for dance. I mean, I don't want  
 25 it to seem like we - - we're saying, okay, we

00160

1 can't have dancing and whatever. But we - - We -  
 2 - Kwabena talked about the poetry aspect of it.  
 3 Just having concerts. My father here is a - - a  
 4 jazz - - is in a jazz group. So the events that  
 5 they talked about 24 a year, that was  
 6 specifically speaking with the first Friday and  
 7 second Saturday of every month. Those are the  
 8 events we talked about. But as far as a weekend  
 9 lounge component of it, they wouldn't be covered,  
 10 you know, with just the party passes. So that's  
 11 - - That's why that really is not much of an  
 12 option for us.

13 ALDERWOMAN COGGS: Know this, too, that  
 14 if you are denied today, and correct me if I'm  
 15 wrong, if you are denied today, you also would  
 16 be, for the dance portion, you also would be not  
 17 denied the opportunity to get special party  
 18 permits for a year.

19 THE APPLICANT: Right.

20 ALDERWOMAN COGGS: Yeah. And know that  
 21 the - - the 20 a year and all of that, and this  
 22 is not just for you all, but just people  
 23 listening. That it's - - it's 20 a year, but  
 24 it's up to four a month, but depending on whose  
 25 district it is and the track record you show



00161

1 during that, for many people you don't have to  
2 wait the year. They just want to see some  
3 demonstration of your ability to run that aspect  
4 of the business successfully before that. So we  
5 talk about 20, but it's 24, and we talk about all  
6 this other stuff. Depending on, and I'm not  
7 going to speak for any of my colleagues, but  
8 depending on how each sees it, it's not like you  
9 have to wait the whole year to demonstrate that.  
10 But like I said, that all depends, and all of  
11 that, and I recognize the business choice you've  
12 made. But know that, if the dance portion is  
13 denied today, you can't get special party permits  
14 either for a year.

15 THE APPLICANT: I'm aware - -

16 COURT REPORTERS: Can we stop for one  
17 minute and switch Court Reporters?

18 CHAIRMAN BOHL: Sure. Probably an  
19 opportune time. We're just going to - - What  
20 we'll do is we'll be in recess for two minutes  
21 here.

22 (WHEREUPON A DIFFERENT COURT REPORTER BEGAN)  
23  
24  
25

00162

1 STATE OF WISCONSIN )  
2 )  
3 MILWAUKEE COUNTY )  
4

5 I, TERESE M. SCHIEBENES, of Milwaukee  
6 Reporters Associated, Inc., 5124 West Blue Mound Road,  
7 Milwaukee, Wisconsin 53208, certify that the foregoing  
8 proceedings is a full and complete transcript of  
9 "A-LIST SUPPER CLUB & LOUNGE" taken in the foregoing  
10 proceedings.  
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17 TERESE M. SCHIEBENES  
18 Court Reporter  
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20 Dated this day of February, 2010.  
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