



# City of Milwaukee

City Hall  
200 East Wells Street  
Milwaukee, WI 53202

## Meeting Minutes - Final LICENSES COMMITTEE

*ALD. JAMES A. BOHL, JR., CHAIR*

*Ald. Milele A. Coggs, Vice-Chair*

*Ald. Ashanti Hamilton, Ald. T. Anthony Zielinski, and Ald. Nik Kovac*

*Staff Assistant, Tobie Black (414) 286-2231*

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Monday, January 26, 2009

9:00 AM

Room 301-B, City Hall

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### Special - Amended - 01/23/09

081062

Motion relating to the recommendations of the Licenses Committee relative to various licenses.

Sponsors: THE CHAIR

*15 REID, Devon L., Agent for "Questions, Inc.", Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) renewal applications with change of hours and entertainment for "Questions Entertainment" at 3041 W. North Avenue. (expires 2-9-09) Special Letter*

*Applicant at the table, as are Atty. Michael Maistelman and Atty. David Halbrooks as counsel.*

*Asst. City Attorney Robin Petterson at the table representing the Milwaukee Police Department. Alex Runner, Staff Assistant for Pres. Hines, also at the table.*

*Atty. Halbrooks argues that the City Attorney's office should not be present representing the police department unless the police department officially objects to the license. Since counsel for the applicant did not receive notice of an objection by the police department, Atty. Halbrooks says that the Asst. City Attorney should not be present representing the police.*

*Capt. James Harpole, Asst. Police Chief, at the table. He says that the police department opposes the renewal of the license.*

*Atty. Petterson says that there is an understanding that his job is to represent the police as part of a community prosecution unit.*

*Atty. Halbrooks says that the city attorney's office has no legal authority to represent the MPD at the committee.*

*Atty. Schrimpf wants to know if there is a provision in the city ordinances that allows a police report to act as a police objection. Ms. Grill says yes.*

*Deputy City Attorney Linda Burke at the table. She says that a written objection from the police chief is not generally issued in order to lead the city attorney's office to work on behalf of the police department.*

*Atty. Halbrooks says that the police report is hearsay and that it will be compounded hearsay when Sgt. Ulickey, who works for the Chief of Police, reads the police report*

*into the record. Atty. Halbrooks objects to Sgt. Ulickey reading the police report into the record and to the City Attorney's office representing the MPD at committee.*

*Ald. Kovac moves to make a letter dated January 23, 2009 sent by the applicant's counsel to Chief Flynn and Ald. Hines part of the record. Prevailed 4-0. (Ald. Zielinski excused) (Exhibit 1)*

*Ald. Hamilton moves to make a letter dated January 23, 2009 sent to Ald. Bohl by the applicant's counsel part of the record. Prevailed 4-0. (Ald. Zielinski excused) (Exhibit 2)*

*Ald. Coggs moves to make a April 23, 2008 letter sent to City Attorney Grant Langley by the applicant's counsel part of the record. Prevailed 4-0. (Ald. Zielinski excused) (Exhibit 3)*

*Ald. --- moves that a April 16, 2008 letter from Judge Phil Chavez to Atty. David Halbrooks part of the record. Prevailed 4-0. (Ald. Zielinski excused) (Exhibit 4)*

*Ald. Bohl requests that items 30 and 32 not be considered by the committee.*

*Atty. Halbrooks requests that item 34 not be considered by the committee because there is no one present at the committee with direct knowledge of the police incident.*

*Ald. Bohl notifies Atty. Halbrooks that the committee usually accepts the police reports provided by the police department as evidence to be considered.*

*Meeting recessed at 11:40 a.m.  
Meeting reconvened at 11:46 a.m.*

*Atty. Halbrooks says he objects to item number 35 on the police report.*

*Ald. Zielinski away from the table at 11:55 a.m.*

*Asst. Chief Harpole says that the police officers present at the committee in the audience are either officers assigned to the Nuisance Abatement Division or are officers that have direct knowledge of incidents at the establishment.*

*Ald. Bohl says that the entire police record would be read by Sgt. Ulickey as is usually done at Licenses Committee meetings and that counsel for the applicant could question the items after the report was read.*

*Ald. Zielinski back at the table at 12:17 p.m.*

*Mr. Runner says that President Hines has concerns about the establishment and believes that some action needs to be taken, although he is not advocating closing the tavern down. Mr. Runner also says that the Alderman believes that capacity is an issue, but he also that the owner of the bar is cooperative with police and the neighbors.*

*Asst. Chief Harpole says that there is too much of a drain on police resources at the establishment.*

*Atty. Matt Lerner at the table as counsel. He notes counsel's objections to certain items on the police report.*

*Ald. Hamilton moves to make eight pages of maps geographically centered on the*

establishment generated by the city's website part of the record. Prevailed 4-0. (Ald. Kovac excused)

Atty. Maistelman asks that a neighborhood supporter be allowed to testify because he needs to leave.

Neighborhood supporter:

Darmon Thurman, Sr., 2135 N. 32nd St., lives a block and a half from the location and supports the license. He thinks that there should be as many officers as possible in the area because it is a high crime area, not necessarily due to problems at the establishment. He also thinks that the applicant is properly running the business. Mr. Thurmond has done work in the club for the applicant through his construction business.

Ald. Hamilton asks Mr. Thurmond if he believes the club is bringing problems to the neighborhood. Mr. Thurmond says he does not believe so.

Officer Que Kong, 749 W. State St., at the table. Ofc. Kong says that the owner of the property has been billed for calls for service by the police department.

Capt. Harpole says that a lot of effort has gone into cleaning up the neighborhood, but this establishment is the last problem in the area, despite the department's declaration of the property as a nuisance under s. 80-10, Milwaukee Code of Ordinances.

Officer Kong notes that 68 calls for service were related to this club in 2008, compared to 34 for the establishment with the next-highest number of calls. District 7 taverns, with the highest number of calls, had 32 calls while in District 5 a tavern had 49 calls, but that tavern no longer has its license.

Ald. Coggs is concerned that Officer Kong had never met the owner of Questions. Officer Kong began his job as a liaison officer in March of this year. Capt. Harpole notes that liaison officers typically don't meet the owners; their positions are more administrative.

Ald. Kovac questions whether or not the police department could provide services to the establishment, as is currently done for the Milwaukee Brewers and the Bradley Center. Ald. Hamilton notes that these officers are off-duty officers, so that the rank-and-file isn't diminished. It is the Police Chief's decision as to whether or not police services will be provided at a cost to the owner.

Officer Stephen Witkowski, community prosecution unit, met with Mr. Reid at a meeting in March 2008. Contact lists were provided to Mr. Reid at that time so he could contact the police department, if needed. The department anticipated that Mr. Reid would be notifying the police about any upcoming, large events that were planned. The department did not hear from Mr. Reid related to his abatement plan. Att. Halbrooks notes that at this meeting Mr. Reid was told to call the police if he needed assistance.

Ald. Hamilton made the outline for a March 14, 2008 meeting regarding Questions Entertainment part of the record. Prevailed 4-0. (Ald. Kovac excused) (Exhibit 6)

Officers Larry Leibsle and Kevin Matte, tavern officers, testified that their main goal is not to shut down taverns, but to have them run successful businesses while not being a detriment to the neighborhood. Although the establishment is in an industrial area,

*there is a residential area to the south of the establishment. The department also made a video of what happens at the establishment at night to add a little more weight and detail to the police report. Officer Matte noted that the use of police resources related to this club are not in proportion to the number of club patrons.*

*The video the police department would like to present is from the night of March 14, 2008. Atty. Halbrooks objects to the viewing of a portion of the video since the video was not previously submitted to counsel for viewing before the committee meeting. The chair decides that the video will not be viewed.*

*Carah Helwig, Community Prosecution Unit of the District Attorney's office for District 3, at the table. She was present at the March 14th meeting. She says that she observed traffic problems at the establishment. She also serves as a resource for the police. Ms. Helwig goes on ride-alongs to gather information on problems in the district.*

*Jeff Altenburg, Deputy District Attorney and former District 3 prosecutor. He says that the role of the office is also to gain an understanding of what problems may be in the neighborhood and to get to know the business owners.*

*Ms. Helwig points out that she is not a traditional prosecutor.*

*Supporters:*

*Lanelle Ramey, 4749 N. 49th St., owns 2142 N. 33rd St. and has worked with the applicant. He is also a patron of the business and has held events at the bar. He believes that issues at the establishment are exaggerated and that there are issues in the neighborhood. He believes that the bar helps out in the community. He is employed by the Boys and Girls Club.*

*Antonio Felder, has an office at 2245 N. 31st St., has businesses at 3105 W. North Ave. and 3201 W. North Ave. and lives at 3203 W. North Ave. He says that extra police presence is good for the neighborhood. He is in support of the license.*

*Ald. Hamilton asks Mr. Felder if he is a member of the Business Improvement District. Mr. Felder says yes and says that discussion at BID meetings about the business were favorable towards the business.*

*Atty. Petterson asks Mr. Felder how much police presence does he think is needed to handle problems in the area. Mr. Felder says that two police cars is enough police presence to have an effect on the people in the area.*

*De Von Dent, has an office at 2245 N. 31st. He believes that crime should be reduced in the neighborhood and that business should be supported.*

*Brian Currie, 4427 W. Lisbon Ave. and owns property at 2034 N. 30th St. He says that crime was present in the area before the establishment opened. He also says that parking has been a problem but only because of the snow.*

*Biaya Kadima, employee at 3201 W. North Ave. He is at the location until 7 p.m. everyday. Mr. Kadima does not feel that the establishment is a problem and that there are crime problems that already exist in the neighborhood.*

*James Wilbern, 4610 W. Eggert Place, is an employee of the establishment. He asks that the committee remember that the bar has about twenty employees that would be displaced if the establishment closed.*

*Adam Bowman, used to work at 2245 N. 31st St. He is in support of the license.*

*The address of 2245 N. 31st is a warehouse of about 2000 square feet containing different businesses.*

*Bassem Megally, 4212 S. 78th St., Greenfield. He is head of security for the establishment. Mr. Megally says that the applicant requests additional guards whenever he knows that there will be a large crowd. He does not think that the business is a big hassle to anyone.*

*Jennifer Wilder, 3049 S. Hanson Ave., chooses to go to the establishment because she feels safe there. She is in support of the license and has not seen any problems occur at the establishment.*

*Jovan Goodman, 103 W. Chambers St., patronizes the business on a weekly basis and has not seen or had any problems when at the establishment. She is in support of the license.*

*Terry Love, 2621 E. Adams, Cudahy, arranges for artists to perform at the establishment. He is in support of the license.*

*Walter Watson, 1324 E. Oklahoma Ave., is a bartender and security guard at the establishment. He says that most incidents happen outside the bar and has nothing to do with the establishment.*

*Objector:*

*John Connelly, North Avenue Community Development Association and staff assistant for the Community Prosecution Unit for District 3. He says that there have been concerns voiced by other business owners about the establishment at the BID meetings that he has attended. Mr. Connelly says that the CPU is focused on nuisance abatement, not closing businesses.*

*Ald. Zielinski raises the question of why the business owners in the area who have concerns about the establishment have not appeared at the meeting.*

*Supporter:*

*Candace Watson, 1424 E. Oklahoma Ave., patronizes the establishment. She says that none of the other clubs that she patronizes have the security that the establishment does. She says that she has not seen problems in the establishment. She is in support of the license.*

*Asst. Chief Harpole says that there are no other taverns along North Avenue that have the problems that the establishment does. He believes that business owners should be held responsible for problems at their establishments and blame should not be put on the neighborhood or on the police.*

*Mr. Reid says that he cooperates with the police and is not always notified by police when there is a problem with the establishment. He says that the police are not cooperating with him.*

*Atty. Maistelman says that no neighbors are requesting the closing of the establishment. He also says that the applicant has tried to set up meetings with the police.*

*Ald. Hamilton moves for renewal with a 25-day suspension due to items on the police report and neighborhood testimony. Prevailed 4-1. (Ald. Bohl voting "no")*

**A motion was made by ALD. HAMILTON that this Motion be AMENDED. The motion PREVAILED by the following vote:**

**Aye** 4 - Hamilton, Zielinski, Kovac and Coggs

**No** 1 - Bohl