



Office of the City Clerk

Jim Owczarski
City Clerk

Rebecca N. Grill
Deputy City Clerk

October 21, 2013

Michael J. Patton, Sr.
3M Entertainment, LLC
3000 S. 13th St.
Milwaukee, WI 53215

Atty. Vincent J. Bobot
Bobot Law Offices, LLC
5414 S. 13th St.
Milwaukee, WI 53221

Dear Mr. Patton and Atty. Bobot:

You are hereby notified that the Milwaukee Common Council will hold a hearing on Tuesday, November 5, 2013, commencing at 9:00 a.m., or as soon thereafter as this matter may be heard, in the Common Council chambers on the third floor of City Hall, 200 East Wells Street, Milwaukee, Wisconsin to consider whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 3000 S. 13th St. ("The White House").

Attached you will find a copy of the Report of the Licenses Committee, which includes its Findings of Fact, Conclusions of Law, and Recommendation, recommending nonrenewal of your Class "B" Tavern and Public Entertainment Premises licenses based on items 10-24 of the police report (excluding item 25 and also the underage items in 17 and 20), and police and neighborhood testimony. In addition, the Committee also denied your request to reduce the age restriction from 25 to 23 and for a change of entertainment to your Public Entertainment Premises license. This recommendation is the result of a public hearing before the Committee held on Friday, October 18, 2013.

Please be advised that the Common Council will determine whether to renew, renew with a suspension between 10 and 90 days, or not renew your Class "B" Tavern and Public Entertainment Premises licenses based upon the Findings of Fact contained within the Licenses Committee report.

You may file written objections to the report of the Licenses Committee. The written objections must be filed with the City Clerk by 4:45 p.m. on Thursday, October 31, 2013 in Room 205 of City Hall. If you file written objections, you or a legal representative may then also appear at the Common Council to make oral arguments supporting the written objections. You will be given approximately five minutes to present the oral argument.

Respectfully,



JAMES R. OWCZARSKI
City Clerk



CHAIR
• Licenses Committee

MEMBER
• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

Date: October 23, 2013

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of Renewal Application of Michael J. Patton, Sr., Agent for 3M Entertainment, LLC for a Class "B" Tavern and Public Entertainment Premises Licenses for the premises located at 3000 South 13th Street in the City and County of Milwaukee, Wisconsin ("The White House").

FINDINGS OF FACT

1. Michael J. Patton, Sr. (hereinafter the "Licensee") is the holder of Class "B" Tavern and Public Entertainment Premises licenses for the premises located at 3000 South 13th Street in the City and County of Milwaukee, Wisconsin ("The White House"). Said licenses expire at midnight, November 7, 2013.
2. An application to renew said licenses was filed with the Office of the City Clerk on August 29, 2013.
3. Pursuant to Chapters 90 and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes, the matter was referred to the Milwaukee Police Department for investigation.
4. On October 3, 2013, the City Clerk's Office mailed notice to the Licensee pursuant to Chapters 90 and 108 of the Milwaukee Code of Ordinances and Chapter 125 of the Wisconsin Statutes of the police report and neighborhood objections and included a copy of the police report. The matter was scheduled for a hearing on the police report and neighborhood objections on October 18, 2013 at 9:00 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did appear and was represented by Attorney Vincent Bobot, 5414 South 13th Street, Milwaukee, WI 53221.
5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On May 19, 2013, 3M Entertainment, LLC co-owner Michael Patton, Jr. (08/07/87) was charged with 2nd degree sexual assault-intoxicated victim in Milwaukee County. Final pre-trial 12/9/13.
 - B. Co-owner Michael Patton, Jr. (07/08/87) has the following cash bail only warrants and over due fines:

09147474 \$67.00 Due on 06/10/13 Warrant Status***



10110094	\$74.00	Warrant Status***
12061621	\$88.80	Due on 06110/13
12072677	\$114.00	Due on 06/10/13
12116195	\$76.20	Due on 01115/13
12116196	\$76.20	Due on 06/10/13
13008807	\$114.00	Due on 04/19/13
13008808	\$114.00	Due on 04/19/13
13008809	\$114.00	Due on 04/19/1312

- C. On December 12, 2012 at 5:55 p.m., Milwaukee police, along with an agent from the Wisconsin Department of Revenue, conducted a license premise check at 3000 South 13th Street. The owners, Michael Patton, Sr. and Maurice Cain, could not provide to the agent invoices for numerous bottles of liquor, which were then confiscated. A total of 136 bottles of liquor were removed.
- D. On December 23, 2012 at 1:51 a.m., Milwaukee police responded to a fight complaint at 3000 South 13th Street. The investigation found numerous patrons left the bar at 3000 South 13th Street and began to fight. Officers called for more squads, 10 in all, to clear the area and restore order. Squads then remained on scene to maintain crowd control.
- E. On January 4, 2013 at 11:25 p.m., Milwaukee police, while on routine patrol, could hear loud music coming from The White House Social Club located at 3000 South 13th Street. The officers were able to hear the music from their location, which was at 1200 West Manitoba, from their squad with the windows rolled up. The squad was approximately 75 feet from the bar. A license premise check was conducted and officers spoke with Michael Patton, Jr., who was the manager. Patton stated he was unaware that his music was too loud even though the officer was inches away from Patton's ear so the officer could be heard.
- F. On January 1, 2013 at 12:13 a.m., Milwaukee police were flagged down for a vandalism complaint at 3000 South 13th Street. The investigation revealed that a patron, who was intoxicated and combative, was asked to leave the bar, but he refused. The subject was escorted out when he punched a glass window to the front of the bar, shattering it.
- G. On January 1, 2013 at 2:57 a.m., Milwaukee police were dispatched to 3000 South 13th Street for a fight complaint. Upon arrival, police observed approximately 50-100 patrons fighting inside the bar. Numerous fights were also occurring outside of the tavern, with officers being surrounded by patrons who were refusing to obey police orders to disperse. Many patrons were leaving from numerous exits with bottles of alcohol in their possession. A total of six squads were needed to gain control of the situation. Officers spoke to Michael Patton, Sr. and advised him to shut down the bar, to which he complied.

- H. On January 13, 2013 at 1:24 a.m., Milwaukee police were dispatched to 3000 South 13th Street for a trouble with subject complaint. Police spoke with a security guard who stated that he had removed a disorderly patron from the bar and that the subject continued to be disorderly outside and made a threat to “go get my boys and blow this place up.” The subject continued to yell and cause a disturbance. Further investigation found police were called for the same subject on January 5, 2013 for the same scenario and found the subject to be underage, but had a false ID that was confiscated at that time. No one was cited for the presence of underage that night. The same subject was granted entrance again on January 13, 2013 even though he did not have ID.
- I. On January 17, 2013, the Captain of District 6, Diane Rowe, met with Michael J. Patton, Jr., Michael J. Patton, Sr., Maurice L. Cain, George M. Willis, Sr. and Dale Trostoff to discuss questions the captain had regarding an upcoming event that was schedule to take place at 3000 South 13th Street. The captain was not made aware of the event taking place when a meeting was held at District 6 with the licensee and an officer earlier in the week. Officers had conducted a license premise check prior in the week and discovered that there was going to be a double birthday celebration hosted by R&B Singers, Ginuwine and Poochh Hall, also co-hosted by Sushilor and Loud Pack Larry. A live performance by Babby Drew, Wall Street, I-94 Hastlaz, Short Dogg, Mike G, DJ Manne and DJ Don were advertised on a flier with a number to call for advance tickets and VIP service. Captain Rowe then advised the representatives of The White House that they are not licensed to have live performances and that they should reconsider holding the event. The owner, Trostoff, was personally handed a nuisance letter (80-10), informing him of the calls for service. Trostoff was to have an action plan within 10 days. Trostoff stated he would meet with the licensee and they would have an action plan drafted for the captain.
- J. On January 28, 2013 at 1:00 p.m., Milwaukee police personnel and the owner of The White House, Dale Trostoff, along with the bar’s agent Michael Patton met to discuss their response to the 80-10 letter Dale received on January 17, 2013. Trostoff had a written action plan that he and Patton drafted. The meeting adjourned at 2:00 p.m. On January 29, 2013 at 2:00 p.m. the CLO of District 6 mailed out an 80-10 “Notice of Acceptance” to Trostoff at 2685 South 13th Street. Trostoff had confirmed the address via a phone call on January 28, 2013.
- K. On March 9, 2013 at 1:18 a.m., Milwaukee police observed several security staff members from The White House located at 3000 South 13th Street struggling with a subject outside of the club. The investigation revealed the subject was being removed for causing a disturbance inside the bar, and while being removed, attempted to fight with security. Further investigation revealed that the subject was only 20 years of age and was let into the club without providing any ID. The subject stated initially security would not let him in, however, the owner, Michael J. Patton, Sr. told security to let him in. The subject also stated that this was not his first time in the bar.

- L. On March 17, 2013 at 12:34 a.m., Milwaukee police conducted a license premise check at 3000 South 13th Street. Upon police entry, officers observed 5 patrons wearing baseball caps and identified one patron who was under the age of 25. This violated the action plan guidelines that the bar had in place and had provided to police at an earlier date. Police spoke with Michael J. Patton, Jr. as a patron walked by with a cap on. Officers pointed out to Patton the patron who was in violation with Patton not commenting on it or addressing the subject. Police spoke with the patron who was under 25 and she stated that initially security would not allow her in, but that she begged to be let in because her family and friends were inside celebrating a birthday party. The subject was not observed to be drinking any alcohol.
- M. On March 30, 2013 at 2:00 a.m., Milwaukee police were monitoring bar closing at 3000 South 13th Street. Police observed approximately 40-50 patrons running out of the club and into the streets from several different doorways. As police pulled up to the bar, patrons were screaming and yelling that a fight broke out inside the bar. One patron stated that shots were fired inside the bar. More squads were called to help with crowd control and to clear the bar. Police spoke with Michael Patton, Jr. who stated that a couple of subjects began to fight and that his security staff removed the subjects out of the bar. Patton stated that no shots were fired. Police observed a lot of glass on the bar floor and the jukebox screen, which looked to be a heavier gauged glass, was broken out. Officers then spoke with the bartender Cassandra Robinson who stated subjects began to fight inside the bar, but that no shots were fired. Robinson also stated that glasses and bottles were being broken during the fight.
- N. On May 19, 2013 at 5:21 a.m., Milwaukee police were dispatched to 3000 South 13th Street for a sexual assault complaint. Police spoke with the victim who stated she was a friend of Michael J. Patton, Jr. and had a conversation with him during the evening of May 18, 2013. The victim stated she was invited to the club by Mike Jr. and that she arrived at 12:15 a.m. The victim stated she bought herself a few drinks, but did not get drunk from them. The victim stated that Michael Jr. kept serving her shots of hard alcohol, which she drank. The victim could not recall how many shots she had, but stated that they consisted of Hennessy, Ciroc, and another hard liquor she could not recall. The victim stated that after bar close, she and Michael Jr. began to kiss and that her intention was to have intercourse with Michael Jr. in the club, but that she passed out while kissing him. The victim stated that when she woke up, she was on the couch near the back of the club, where Michael Jr. and another unknown male were having intercourse with her. The victim stated one subject had his penis inserted into her vagina and the other had his penis inserted into her mouth. The victim further stated that she was drunk and that the two men probably thought she wouldn't notice. The victim stated she told both men several times to stop, but that they didn't and at one point, switched positions with each other. The victim stated she tried to get up, but that they wouldn't allow her. The victim stated she

continued to tell them to stop, which they eventually did.

The victim stated she put her clothes on and stated to Michael Jr. "I thought we was friends." She further stated that Michael Jr. did not respond, and that the other subject said nothing. The victim walked out of the bar through the front door and called her sister. The victim spoke to her sister, telling her she had been raped. Police spoke with the victim's sister and obtained her statement. The victim's sister stated that received a call from her sister approximately at 5:00 a.m., who stated she was raped. The victim's sister stated that her sister was extremely upset and sobbing about the incident. The victim's sister stated that her sister told her that she was inside a bar with a friend named Mike, and that he and another unknown male raped her while inside the bar. The victim's sister stated she thought her sister was going to phone police so she hung up with her and called their father to inform him of the incident. Police also spoke with the victim's father who stated he called his daughter and was told by her that she was raped by Mike and someone else, but that she couldn't remember all the details. The victim's father then instructed the victim to go Aurora Sinai Medical Center. Patton, Jr. has been charged with 2nd degree sexual assault-intoxicated victim and was also issued a citation for patrons after hours.

- O. On September 14, 2013, Milwaukee police conducted a license premise check at 3000 South 13th Street. Upon entry, police observed music being played in two different rooms by two different people. One of those men identified himself as an employee of the tavern and the other denied working for the bar stating he "just controls the I-pod and makes sure the music don't stop". Officers spoke with Michael Patton and informed him that a citation would be issued public dance hall required which has a pending court date of 11/13/13.
- P. Captain Diane Rowe, District 6, testified for nonrenewal of this license stating the establishment has 15 police incidents in the first year of operation. This is not the worst tavern in the city, but it has become a nuisance property. It was designated a nuisance property within 66 days of operation. District 6 spends an inordinate amount of time at this establishment and has had approximately 120 CAD calls at this tavern. The club is in a largely residential neighborhood, with a small parking lot for the size of the establishment. Before the tavern opened, it said it would have 16 cameras, 25-age restriction and no loud music. It has had illegal live music.
- Q. Officer Raymond Hewett testified as to service of Item O (9/14/13). He served Mr. Patton, Sr. with a copy of the tavern report by Mr. Patton Sr.'s partner, Mr. Maurice King on September 25, 2013. He also monitors the taverns and has noted that the club has played music that is not on its license and the state also confiscated alcohol at this establishment.
- R. Police Officer Christopher Jackson issued the citation to Michael Patton, Jr. on September 24, 2013. Officer Jackson also testified that on January 1, 2013 a

patron was arrested for vandalism and the police also responded to a fight between 50-100 people. He did a tavern check on September 14, 2013 and Mr. Patton, Jr. was issued a citation for loud music.

- S. Police Officer Michael Crohn testified that he responded to a fight at the establishment on December 13, 2012. About eight squads responded. He has responded on other dates and found an underage patron, street parking issues and a fight.
- T. Detective Kevin Armbruster of the Sensitive Crimes Unit investigated the alleged sexual assault by Michael Patton, Jr., co-owner of the establishment. Mr. Patton Jr. said that the sex was consensual. The victim's statement was that she was allowed to stay in the bar while the cleaning crew worked. The alleged assault occurred in the establishment after hours with Mr. Patton Jr. and an employee.
- U. John Kubacinski, 3019 S. 13th St., Apt. A, testified that the establishment had its lights on and appeared to be open on the weekdays and that he can also hear music from the bar on 14th Street. He also sees litter relating to the establishment's patrons. The establishment has only been open on the weekends for a couple of months.
- V. George Willis, 8262 W. Daphne – works as The White House security, testified they defuse escalating situations by putting patrons outside and staying with those patrons. He has been doing security work for 15 years.
- W. Matt Fletcher, 3016 S. 12th Street - testified regarding the garbage and noise, public urination and hearing 5 gunshots last weekend and called 911.

CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapters 90 and 108 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Michael J. Patton, Sr. who holds a Class "B" Tavern and Public Entertainment Premises licenses for the premise located at 3000 South 13th Street in the City and County of Milwaukee, Wisconsin ("The White House ") has not met the criteria of Chapters 90 and 108, of the Milwaukee Code of Ordinances to renew the licenses. The Committee finds the police records, testimony and neighborhood objections as stated above to be true.

3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Licenses Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Class "B" Tavern and Public Entertainment Premises licenses of Michael J. Patton, Sr. for the premises located at 3000 South 13th Street in the City and County of Milwaukee, Wisconsin ("The White House") based upon the police report, testimony and neighborhood objections.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes recommends that the Class "B" Tavern and Public Entertainment Premises licenses held by Michael J. Patton, Sr. for the premises located at 3000 South 13th Street in the City and County of Milwaukee, Wisconsin ("The White House") not be renewed based upon the police report, testimony and neighborhood objections.

Dated and signed at Milwaukee, Wisconsin this 23rd day of October, 2013.


T. ANTHONY ZIELINSKI, Chair
Licenses Committee

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