



Milwaukee Police Department Police
Administration Building 749 West State
Street Milwaukee, Wisconsin 53233
<http://www.milwaukee.gov/police>

Alfonso Morales
Chief of Police

(414) 933-4444

Tuesday, March 10, 2020

Marcos RAMOS-GARCIA
MRG GROUP LLC.
1748 S 3rd St
Milwaukee, WI 53204

Re: Notice of Nuisance Premises

Dear MRG GROUP LLC:

This letter is notice to you that the Milwaukee Chief of Police, by the chief's designee, the district commander, has determined that the premises located at 1619 S 1st St Milwaukee, WI 53204 ("the premises") is a nuisance pursuant to Milwaukee Code of Ordinances ("MCO") § 80-10, Chronic Nuisance Premises.

The Milwaukee Police Department has responded to the following described nuisance activities at the premises on the corresponding dates, which qualify the premises as a nuisance:

1. . On Sunday, April 7, 2019, at 4:16 AM, Milwaukee police officers were dispatched to St. Luke's Medical Center to investigate a report of a "Battery". The investigation revealed that a the victim had been a patron at the premises, engaged in a verbal and physical altercation inside of the premises with another patron, had been separated from the other patron by security, exited the premises, and was battered by the same subject who was armed with a glass bottle. The victim required medical attention. The investigation remains open. This nuisance activity is contrary to MCO 80-10-2-c-1-k.
2. On Sunday, May 19, 2019, at 4:56 AM, Milwaukee police officers were dispatched to the premises to investigate a report of an "Entry". The investigation revealed that a burglary had occurred and that an unknown subject had discharged a firearm into the premises. The investigation remains open. This nuisance activity is contrary to MCO 80-10-2-c-1-L.
3. On Sunday, July 7, 2019, at 2:11 AM, Milwaukee police offers were monitoring the premises during close when officers observed several patrons exit the premises and begin to verbally argue then physically fight in the parking lot used by the tavern. The patrons dispersed as officers approached. This nuisance activity is contrary to MCO 80-10-2-c-1-k.



4. On Monday, February 24, 2020, at 12:25, Milwaukee police officers were flagged own for a "Trouble with Subject" complaint at the premises. The investigation revealed that on Sunday, February 23, 2020, an unknown subject had discharged a firearm into the premises. The investigation remains open. This nuisance activity is contrary to MCO 80-10-2-c-1-L.
5. On Sunday, March 8, 2020, at 1:42 AM, Milwaukee police officers were dispatched to the area of S 2nd St and W Lapham Bl to investigate a report of a "Shooting". The investigation revealed that an unknown actor(s) had discharged multiple firearms in the area as patrons exited the premises, striking the victim who was in the parking lot. Twenty eight (28) spent casings were located around the premises. The investigation remains open. This nuisance activity is contrary to MCO 80-10-2-c-1-L.

As a consequence, the premises may be subject to a special charge for the cost of future enforcement for any of the nuisance activities listed in MCO § 80-10-2-c that occur at the premises. Residential rental properties may be subject to an inspection by the Department of Neighborhood Services for compliance with the building maintenance and zoning code pursuant to MCO § 200-53.

You are directed to respond to my office within 10 days of receipt of this notice with an acceptable, written course of action that you will undertake to abate the nuisance activities occurring at the premises, or file an appeal. You may appeal this nuisance determination to the Administrative Review Appeals Board. Any appeal must be in writing and a processing fee will be charged. Please contact the Office of the City Clerk at (414) 286-2231 for additional information.

If you elect to provide a written course of action, I shall evaluate it to determine if it is a reasonable attempt at abating the nuisance activity.

Prior to responding with a written course of action, it is highly recommended that you obtain records relating to police responses regarding the premises. You may obtain these records from the Computer Aided Dispatch System (CADS) at the Open Records Section of the Milwaukee Police Department (District Three Station, 2333 North 49th Street, Second Floor) Monday, Wednesday and Friday between 8:00 AM and 3:30 PM. There is a cost of 25 cents per page for these records.

Please review the following examples of nuisance abatement measures that you may include in your written course of action to abate the nuisance activity. These suggestions are not exclusive, may not apply to the issues at your particular premises, and you may propose other nuisance abatement measures that would be appropriate under your particular circumstances.

- Participate in the Department of Neighborhood Services' Landlord Training Program and make a good faith effort to apply the knowledge from the course and attend refresher classes. Information on this training program may be obtained by calling (414) 286-2954.
- Exchange names and telephone numbers with the owners and operators of neighboring premises.

- Participate in a local block watch, neighborhood association, landlord compact and property management association.
- Attend the monthly crime prevention meetings conducted by the local Milwaukee Police District Community Liaison Officer who can be contacted at (414)935-7228.
- Institute the use of written screening criteria that are provided to each applicant at the time each proposed adult resident receives a written application; and, conduct background checks of all prospective adult tenants and residents.
- Institute the use of a written lease for each adult tenant that include provisions relating to disorderly behavior, noise, garbage disposal, use of common areas, illegal activity, tenant responsibility for guest conduct, and the prohibition of sub-leasing and long-term guests. Timely enforce any lease violations.
- Review the tenancies of all the current residents in the property. This may include the termination of tenancies and reapplication by existing tenants for new tenancy.
- Regularly inspect the interior of the property to confirm that the residents are your tenants, confirm that the premises are actually used as a residence, and to determine if the doors and windows have been fortified or the premises outfitted with surveillance or delivery mechanisms.
- Monitor the property for evidence of drug activity. This may include observation of clear corner cuts of baggies strewn about, excessive quantities of plastic sandwich baggies found in odd places, presence of numerous weight scales or communication devices and drug paraphernalia such as unusual pipes, empty cigar wrappers, burned hollow tubes, etc.
- Install "No Loitering" signs in the front and rear of the exterior of the property. This signage permits police to cite loitering individuals in the yard and sidewalk area.
- Install "No Trespassing" signs in the front and rear of the exterior of the property. This signage permits police to cite trespassers in commercial properties.
- Install a sign with your name and contact information in a common area requesting law enforcement contact you if they are responding to a call for service at the premises.
- Record all rental properties owned by you with the Department of Neighborhood Services as required by local ordinance.
- Participate in the E-Notify system for email updates regarding the premises.
- Regularly file open records requests for Milwaukee Police Department Computer Aided Dispatch System (CADS) reports regarding the property.
- Institute a standing complaint with the local Milwaukee Police district station that will allow the police department to remove any individuals loitering on the property.
- Draft and serve a no trespassing order against identified nuisance persons and provide the local police district station a copy of the served order.
- Provide the local police district station with an updated current tenant list.

If you propose a course of action which is rejected by me or fail to timely respond to this request, and a subsequent nuisance activity occurs on or after 13 days after receipt of this notice, the premises will be subject to placement of a special charge as a lien on the property by the Commissioner of the Department of Neighborhood Services for the cost of any police services and enforcement.

Once you have been billed for the costs of police services and enforcement for three or more separate nuisance activities within one year of the date of this notice of nuisance premises, the premises may be designated a chronic nuisance, pursuant to MCO § 80-10-6, and each and every subsequent incident of nuisance activity at the premises may be deemed a separate violation and result in a citation being issued to you for failure to abate the nuisance activity. Each citation would subject you to a forfeiture of not less than \$1,000.00 or more than \$5,000.00. Upon default of payment of a chronic nuisance citation you would be subject to imprisonment in the county jail or house of correction for a period of not less than 40 days or more than 90 days for each violation.

Please contact P.O. Kevin VODICKA at (414)935-7763 with any questions, and I look forward to hearing from you.

Best regards,

ALFONSO MORALES
CHIEF OF POLICE



PAUL LOUGH
CAPTAIN OF POLICE

Attachment: Copy of Milwaukee City Ordinance 80-10
CC: Department of Neighborhood Service, Lake Tower 1st Floor – Pete Laritson
City Hall Common Council

v. 8/19



IMPORTANT NOTICE: A \$25 FILING FEE MUST ACCOMPANY THIS APPEAL, WITHIN THE DEADLINE REFERENCED BY THE BILL.

Checks should be made payable to: City of Milwaukee and a copy of the bill should be included with your appeal

IMPORTANT NOTICE FOR CUSTOMERS PAYING BY CHECK

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account, or to process the payment as a check transaction.

IF THE CHARGES HAVE ALREADY APPEARED ON YOUR TAX BILL, THIS APPEAL CANNOT BE FILED

PLEASE READ CAREFULLY:

This Board may only determine if the City Department followed proper administrative procedures. It cannot hear appeals as to whether a Building Order is valid or not (those must be appealed to the Standards and Appeals Commission).

TO: Administrative Review Appeals Board
City Hall, Rm. 205
200 E. Wells St.
Milwaukee, WI 53202
(414) 286-2231

DATE: 3/25/2020

RE: 1619 S. 1st St.
(Address of property in question)

Under ch. 68, Wis. Stats., s. 320-11 of the Milwaukee Code of Ordinances, this is a written petition for appeal and hearing.

I am appealing the administrative procedure followed by Milwaukee Police Department
(Name of City Department)

Amount of the charges \$ _____

Charge relative to: appeal of nuisance determination (No)

I feel the City's procedure was improper due to the following reasons and I have attached any supporting evidence, including city employee's names/dates which I spoke to regarding this issue and copies of any city orders received:

See Attached

[Signature] Attorney-in-Fact
Signature
Kendrick B. Yandell
Name (please print)

162 N. 67th St Milwaukee 414.856.5358
Mailing address and zip code 53213 Daytime phone number



March 24, 2020

Administrative Review Appeals Board
City Hall, Rm. 205
200 E. Wells St.
Milwaukee, WI 53202
Email: lclmer@milwaukee.gov

Re: Appeal - Notice of Nuisance Premises
1619 S. 1st St., Milwaukee, WI 53204

To Whom It May Concern:

Please find attached letter appealing the Milwaukee Police Department's determination that the above-referenced property is a "nuisance" pursuant to MCO 80-10. I have mailed hard copies of "ARAB form 10/1/2018", a copy of this letter, our appeal, and a \$25.00 filing fee to the Administrative Appeals Board.

I must note that my office, De Los Santos Law Offices, LLC, filed an open records request for all relevant documents shortly after receiving the notice, but as of this date, had not received any responsive documents. Our office called MPD Open Records the week of March 16, 2020 but were informed that the request had still "not been processed." Since that time, our office has closed due to the Covid-19 pandemic, and I am handling this matter independently. This appeal is based on communications between myself and members of MRG Group LLC. Statements made in this appeal are subject to possible revisions, once we have received and reviewed all responsive documents.

If in-person appearances are required, I respectfully request 4-weeks notice if expert witness testimony is required, as our expert (William Anderson) has a busy work calendar.

Please contact me with any questions or concerns.

Sincerely,

/s/Kendrick B. Yandell
Counsel for MRG Group, LLC and Werk Investments, LLC
162 N. 67th St. Milwaukee, WI 53213
Email: ken@kby-law.com
Phone: 414.856.5358

March 24, 2020

Administrative Review Appeals Board
City Hall, Rm. 205
200 E. Wells St.
Milwaukee, WI 53202

Re: Appeal - Notice of Nuisance Premises
1619 S. 1st St., Milwaukee, WI 53204

Dear Board Members:

MRG Group, LLC, through its attorney, Kendrick B. Yandell, appeals the Milwaukee Police Department's determination that the above-referenced property is a nuisance, pursuant to MCO 80-10.5.a.

MRG contends the determination that the property is a nuisance is not supported by the facts or spirit of the law. MRG, and its commercial tenant Werk Investments, LLC, DBA PVB ("PVB"), have worked proactively with the Milwaukee Police Department to significantly minimize undesirable incidents, and taken aggressive and reasonable steps to ensure the safety of patrons, staff, community members, and police officers.

INCIDENT NOS. 2 THROUGH 4 ARE NOT "NUISANCE ACTIVITIES"

Nuisance Activity Nos. 2. and 4. of the "described nuisance activities" are not "nuisance activities" as a matter of law because they do not relate to people "associated with the premises." MCO 80-10.2.e. defines a "person associated with a premises" as an owner, operator, manager, resident, occupant, guest, visitor, patron or employee or agent of any of these persons."

Nuisance Activity No. 2 describes an "unknown subject" who shot into the property at 4:56 A.M. nearly three hours after PVB closed. This individual is not known by, or associated with, MRG or PVB and is not known to have ever visited PVB. Even if the unidentified person had at any prior time been "associated with the premises," the timing of his or her actions is too far attenuated from PVB's regular business operations. It is beyond the ability of any business or property owner to reasonably predict or control the acts of random people at 5:00 A.M.

Nuisance Activity No. 4 describes an "unknown subject" discharging a firearm into the premises. Again, there is no known connection between this "unknown subject" and the business

or building. Counsel for MRG has been informed that surveillance video showed an unknown person approaching the building from across the street by foot, standing briefly outside, and then shooting into the building before fleeing. This random act of aggression by an unknown individual cannot reasonably be attributed to the property or business owners' failure to control the use of their property.

MRG contends that No. 3 of the "described nuisance activities" does not constitute a Nuisance Activity for three reasons. First, numerous security guards on scene at the time of the alleged incident reported to management that no such fight occurred. After reviewing surveillance footage, MRG/PVB did not see any such activity. Second, counsel for MRG is unaware of any additional evidence supporting the allegation. The allegation does not identify a single witness or participant. Although the police are alleged to have been present as witnesses, the alleged fight did not rise to the level of probable cause to issue a citation, or even a warning. There were no calls for police assistance, no shoulder cam or squad video, and no reported injuries or complaints.

Finally, this incident does not rise to the level of a "nuisance activity" as a matter of law per MCO 80-10.2.c-1-k., *see* Wis. Stats. 940.01 to 940.32 (Crimes against Life and Bodily Security). There is a bona fide dispute as to whether anything actually occurred, or whether it may have simply been two or more people briefly roughhousing as they left the bar at bar time. With no witnesses, victims, video, citations, or injuries, this alleged Nuisance Activity does not rise to the level of any one of the crimes enumerated in MCO 80-10.2.c-1-k. Crimes against Bodily Security invariably require some evidence of an injury, and evidence of intent to cause injury. Roughhousing, without more, does not rise to the level of a crime against bodily security.

Arguably, such an incident might be deemed "disorderly conduct" per MCO 80-10.2.c-1-b. However, this is a lesser charge, and pursuant to MCO 80-10.3.a-1. (requiring "3 or more nuisance activities at a premises within 30-days), this incident does not qualify as a "nuisance incident" under MCO 80-10.2.c-1-k.

INCIDENT NOS. 1 AND 5 ARE EXTREMELY MITIGATED

There are two incidents which MRG acknowledges occurred, but MRG contends that there are mitigating circumstances requiring further evaluation. PVB made extensive operational and physical modifications in response to the April 7, 2019 event. The March 8, 2020 event, eleven months later, was completely unforeseeable, and not related to any deficiency in PVB or MRG's operations.

APRIL 7, 2019 INCIDENT

Nuisance Activity No. 1 was aggressively addressed by PVB's management on or about May 2019. The incident as described in the Notice of Nuisance Premises, states that two parties engaged in a verbal and physical altercation at the bar. The parties were allegedly separated, and after leaving the premises, one of the persons was attacked outside by the same subject.

MRG maintains that this is not entirely correct. MRG states that an altercation occurred inside the premises. During said altercation, one of the individuals struck the alleged victim, then ran out a side door onto the patio, jumped a low gate, and disappeared.

In response, MRG took the following corrective actions: (i) installed additional cameras inside and outside of the premises; (ii) installed a fence around the patio; (iii) enclosed the patio, to prevent people from climbing over the fence; (iv) closed the patio for business; (v) dead-bolted the door; (vi) hired additional armed security personnel; (vii) stationed guards at every door; and (viii) sealed the adjacent parking lot, requiring a photo ID for every car entering. Additionally, MRG hired William Anderson, a former US Marine officer, special forces operative, and security consultant, to conduct a security analysis of the premises. Mr. Anderson reported that PVB's security operations were professional, and that he could find no weaknesses in their security protocols. Mr. Anderson has stated that he would be willing to testify, if required, with adequate notice.

MARCH 8, 2020 INCIDENT

Regretfully, MRG is aware of the unfortunate March 8, 2020 incident described in Nuisance Activity No. 5. Again, MRG contends the incident is not properly described and fails to include important, mitigating facts.

First, MRG contends that it could not have reasonably foreseen the incident, nor acted to prevent it. Second, MRG was fully cooperative with the police, providing witness statements and sharing video surveillance. Third, the incident, as described, omits other important mitigating details.

The Incident Report states that "unknown actor(s) had discharged multiple firearms in the area as patrons exited the premises, striking the victim who was in the parking lot." "Twenty eight (28) spent casings were located 'around the premises.'" However, the report does not describe what actually occurred according to video surveillance, nor what "around the premises" means.

Surveillance video shared with the officers, and viewed by PVB/MRG's owner, shows two individuals (alleged assailants) in the bar watching a third person (alleged victim). No words were exchanged, and no fight took place. In fact, from observing the video, it does not appear that any conflict even existed. The alleged assailants left PVB, stationed themselves in the alley behind PVB, and waited for the alleged victim to exit PVB. It appears that the assailants fired approximately five rounds at the alleged victim before fleeing in their car. MRG does not believe that the other casings were on or about their premises, and it is not clear who the perpetrators were, or when and where the shots were fired.

Upon viewing the video, even the officers conceded that they were unable to observe any outward signs of conflict. If trained officers, and management, could not discern any sign of conflict after multiple reviews of the surveillance video, it is clear that nobody in PVB could have been aware of what was going to happen because there were no signs of conflict.

**A NUISANCE DETERMINATION IS INCONSISTENT WITH THE SPIRIT, IF
NOT THE LETTER, OF THE LAW**

MRG and PVB has not "chronically failed to control the use of their property. They have consistently and proactively taken all reasonable measures to ensure the safety of patrons, staff, community members, and police officers. The Common Council's preface to MCO 80-10 states in relevant part that "[t]he common council . . . finds that premises owners, and other parties conducting business activities upon the premises, that chronically fail to control the use of their property substantially interfere with the comfortable enjoyment of life, health and safety of the community.

MRG and PVB invested a significant amount of money into preventing future incidents after the April 9, 2019 incident, including physical improvements, additional surveillance cameras, sealing and monitoring unnecessary egresses, and hiring additional security, and an outside security consultant. It should be noted that there are no other reports of fights in the bar after the April 9th incident. Event Nos. 2 and 4 are not "Nuisance Incidents" as a matter of law. Incident No. 3 is unsubstantiated and did not rise to the level of probable cause for officers to even question anybody, much less issue citations, or even warnings.

Finally, the March 8th event was completely unforeseeable. With no outward signs of conflict or aggression, it is immensely unreasonable to expect that MRG or PVB could have foreseen and prevented this reckless and lawless action. MRG has consistently acted

professionally, reasonably and aggressively. While MRG has made every effort to monitor and prevent misbehavior, it is simply not possible for any entity to monitor and control the hearts and minds of random individuals, intent on aberrant behavior.

Hundreds of people come to PVB every weekend to socialize, network, and relax; thousands have come in the last year. The overwhelming majority of these people do not act up or cause problems. MRG and PVB have taken nearly every conceivable action possible to prevent the 4 or 5 people involved in the above-referenced incidents from their reckless behavior. They have worked with the police in every instance, providing copies of surveillance video, meeting with MPD, and making any and all improvements necessary to monitor and prevent unlawful behavior.

To declare MRG's premises a "nuisance," and to charge MRG with the costs of policing, flies in the face of the spirit of the law and ignores MRG's conscientious preventative measures. Furthermore, imposing the cost of future police responses will impose an undue financial burden on MRG despite its best efforts to be a good neighbor and community member. Finally, declaring the property a "nuisance" sends a negative message to similarly situated businesses, which may deem it in their best interest to avoid contacting police when needed, for fear of also being deemed "nuisances."

For all of the above reasons, MRG respectfully asks this Board to find that the premises located at 1619 S. 1st St. is not a nuisance. Counsel, members of MRG/PVB, as well as lay and expert witnesses are available, with sufficient notice, to answer the Board's questions, and provide testimony and additional documentation and video, in support of this appeal.

Sincerely,

/s/Kendrick B. Yandell
Attorney for MRG Group LLC and Werk Investments LLC
414.856.5358
ken@kby-law.com

Receipt of A.R.A.B. Appeal Fee

Date:	4/2/2020
Received Of:	Atty. Kendrick Yandell
Property at:	1619 S. 1 st St.
Received By:	LME
Check # (If Applicable):	2294 \$25.00

Hough, Heather

From: Hough, Heather
Sent: Tuesday, September 01, 2020 11:05 AM
To: Elmer, Linda
Cc: 'ken@kby-law.com'; Salazar Jr., David; Vodicka, Kevin; Diener, Matthew
Subject: Points View Boite, 1619 S. 1st Street Administrative Review Appeals Board Appeal (Agenda Item #8 for September 9, 2020)

Linda – I just spoke with counsel for Points View, Attorney Kendrick Yandell, who has agreed to dismiss the appeal.

We have SETTLED the matter as follows:

Once we have confirmation that the appeal has been dismissed from you, Attorney Yandell and I will work with our clients to set up a meeting to discuss an appropriate abatement plan.

Points View will have ten (10) days after that meeting date to submit that plan in writing to MPD District 2, District Commander, David Salazar, Jr.

The Nuisance Designation “clock” will remain running from the date of the original designation.

Linda – would the appellant receive a refund for the cost of the appeal? Please advise.

Heather Hecimovich Hough | Assistant City Attorney | City Attorney's Office
200 E Wells Street, Room 800 | Milwaukee, WI 53202 | Direct line: 414.286.2615 | Email: hhough@milwaukee.gov



Hough, Heather

From: Hough, Heather
Sent: Friday, September 11, 2020 8:54 AM
To: 'ken@kby-law.com'
Subject: Points View Boite

Kendrick:

Now that you are back, when would you like to meet to discuss the abatement plan? Or will you just be submitting one? Please advise.

Heather Hecimovich Hough | Assistant City Attorney | City Attorney's Office
200 E Wells Street, Room 800 | Milwaukee, WI 53202 | Direct line: 414 286 2615 | Email: hhough@milwaukee.gov



Hough, Heather

From: Hough, Heather
Sent: Wednesday, September 16, 2020 8:51 PM
To: ken@kby-law.com
Subject: Re: Points View Boite

Yes.

On Sep 16, 2020, at 5:42 PM, Kendrick Yandell <ken@kby-law.com> wrote:

Attorney Hough

I'll be submitting a plan in the next ten days. Is that acceptable?

On Mon, Sep 14, 2020 at 8:53 AM Hough, Heather <hhough@milwaukee.gov> wrote:

ok. Time is of essence here. I recognize you were out of town for a week, but we would like for your client to submit a plan. If they choose not to meet, please let me know as soon as possible so that we can begin the 10 days for submission.

From: Kendrick Yandell [mailto:ken@kby-law.com]
Sent: Sunday, September 13, 2020 8:54 AM
To: Hough, Heather
Subject: Re: Points View Boite

Let me talk with my client and get back to you.

On Fri, Sep 11, 2020 at 8:53 AM Hough, Heather <hhough@milwaukee.gov> wrote:

Kendrick:

Now that you are back, when would you like to meet to discuss the abatement plan? Or will you just be submitting one? Please advise.

Heather Hecimovich Hough | Assistant City Attorney | City Attorney's Office

200 E Wells Street, Room 800 | Milwaukee, WI 53202 | Direct line: 414.286.2615 | Email: hhough@milwaukee.gov



The City of Milwaukee is subject to Wisconsin Statutes related to public records. Unless otherwise exempted from the public records law, senders and receivers of City of Milwaukee e-mail should presume that e-mail is subject to release upon request, and is subject to state records retention requirements. See City of Milwaukee full e-mail disclaimer at www.milwaukee.gov/email_disclaimer



Milwaukee Police Department Police
Administration Building 749 West State
Street Milwaukee, Wisconsin 53233
<http://www.milwaukee.gov/police>

Michael J. BRUNSON
Chief of Police

(414) 933-4444

Tuesday, September 29, 2020

Marcos RAMOS-GARCIA
MRG GROUP LLC.
1748 S 3rd St
Milwaukee, WI 53204

Re: Notice of Failure to Respond or Appeal

Dear MRG GROUP LLC:

This letter is notice to you that the Milwaukee Chief of Police, by the chief's designee, the district commander, has not timely received a proposed course of action for abatement of nuisance activities occurring at the premises located at 1619 S 1st St ("the premises"), nor have you timely filed an appeal, in response to our March 10, 2020 Notice of Nuisance Premises, which directed you to provide a proposed course of action, or appeal, within 10 days of receipt of the notice, pursuant to Milwaukee Code of Ordinances ("MCO") § 80-10, Chronic Nuisance Premises.

Accordingly, as provided at MCO § 80-10-6, the premises is subject to placement of a special charge as a lien on the property by the Commissioner of the Department of Neighborhood Services for the cost of any police services and enforcement rendered in relation to nuisance activities that occur at the premises for a period of one year from the date of the Notice of Nuisance Premises, beginning 13 days after you received the notice.

Once you have been billed for the costs of police services and enforcement for three or more separate nuisance activities within one year, the premises may be designated a chronic nuisance, pursuant to MCO § 80-10-6, and each and every subsequent incident of nuisance activity at the premises may be deemed a separate violation and result in a citation being issued to you for failure to abate the nuisance activity. Each citation would subject you to a forfeiture of not less than \$1,000.00 or more than \$5,000.00. Upon default of payment of a chronic nuisance citation you would be subject to imprisonment in the county jail or house of correction for a period of not less than 40 days or more than 90 days for each violation.

Please contact P.O. Matthew DIENER or P.O. Kevin VODICKA at (414) 935-7763 with any questions.

Best regards,



MICHAEL J. BRUNSON
CHIEF OF POLICE

A large, stylized handwritten signature in black ink, appearing to read 'Capt Salazar', with a large loop at the end.

DAVID SALAZAR
CAPTAIN OF POLICE

Attachment: Notice of Nuisance Premises
CC: Department of Neighborhood Service, Lake Tower 1st Floor – Pete Laritson
City Hall Common Council

v. 8/19

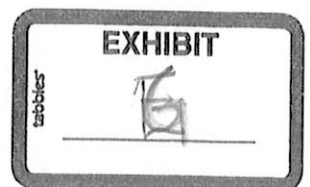
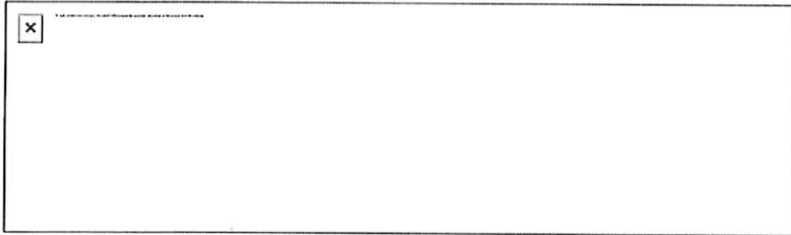
Hough, Heather

From: Kendrick Yandell <ken@kby-law.com>
Sent: Wednesday, September 30, 2020 7:17 PM
To: Hough, Heather
Subject: Abatement plan for 1619 S. 1st St.
Attachments: LTR_2020.09.30_Abatement Plan_1619 S 1st.pdf

Attorney Hough

Please find attached abatement plan for 1619 S. 1st St. Please let me know if this satisfies the requirements. If you would like me to send something more formal, just let me know.

Thanks





September 30, 2020

Via email only

Heather Hough
Assistant City Attorney
200 E. Wells St., Rm 800
Milwaukee, WI 53202

Re: 1619 S. 1st St.
Abatement Plan

Dear Attorney Hough:

Please accept this enumerated list of actions as the abatement plan for 1619 S. 1st St. I have included all actions taken by the property owner to address concerns raised by the Milwaukee Police Department.

1. Security increased from 5 security guards to 8-10, depending on the night.
2. Additional surveillance cameras installed around exterior and interior of the property, now totaling 16 cameras.
3. The owner has now hired two managers to work alongside him during peak hours. Managers handle issues such as overseeing security operations, de-escalating potential conflicts, and providing guidance to security and staff in case of fights or other activities.
4. Security guards now patrol parking lot, sidewalk surrounding the premises, up to Lapham and 2nd street. This was implemented to deter car break-ins and discourage non-PVB persons from lingering around the establishment. This was done in response to reports of off-premise car break-ins.
5. Hired security consultant, with extensive combat, special operations, and military background to periodically evaluate security guards and protocols, and to provide guidance on revising training and implementation of security protocols.
6. Hired female security guard at door to help with pat-downs and metal detection of female patrons and male patrons as they enter and re-enter the tavern.
7. Additional security fencing installed around perimeter of the establishment.
8. No parking rule implemented in the alley behind the establishment. This was discussed and agreed to by Owner, Marcos Ramos-Garcia and residential neighbors. This has eliminated patrons' lingering at bar close.
9. Strict dress code has been implemented along with a mandatory mask requirement.

Please let me know if you have additional questions or concerns.

Sincerely,
/s/Kendrick B. Yandell
Attorney
Yandell Law Offices, LLC
757 N. Broadway, Ste. 300
Milwaukee, WI 53202

e:ken@kby-law.com ● t: 414.856.5358 ● f: 414.246.4373

www.kby-law.com