

JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

September 21, 2006

To the Honorable, the Common Council


Dear Members:

Re: Common Council File 060515

Attached are written objections to the recommendation of suspension for 90 days, based on the police report and neighborhood objections, of the Class "B" Tavern and Tavern Amusement Cabaret (Nite Club) license with change of entertainment of Jodie Kornfehl, Agent for "JK Fun Holdings, LLC" for the premises at 618-24 N. Broadway ("Jungle") in the 4th aldermanic district. (Committee vote: Ayes: 3, Noes: 2)

This matter will be heard by the full Council at its September 26, 2006 meeting. Pursuant to City Ordinances, a roll call vote will be taken to confirm that all members have read the attached objections.

Respectfully,


James N. Witkowiak, Chair
Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
CCF 060515

LAW OFFICES OF
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September 21, 2006

The Honorable Common Council
of the City of Milwaukee
City Hall
200 East Wells St.
Milwaukee, WI 53202

Ronald D. Leonhardt, City Clerk
Room 205
City Hall
200 East Wells St.
Milwaukee, WI 53202

CITY OF MILWAUKEE
06 SEP 21 AM 10:02
RONALD D. LEONHARDT
CITY CLERK

Re: Renewal of Class "B" License
For JK Fun Holdings, LLC d/b/a "The Jungle"
618-624 N. Broadway
Milwaukee, WI.
Jodie Kornfehl, Licensee

Honorable Members of the Common Council:

This Office has been retained to represent the licensee, Jodie Kornfehl, regarding the renewal of her class "B" License for "The Jungle". Pursuant to Section 90-12-5-c-2 of the Milwaukee Code of Ordinances, Jodie Kornfehl does respectfully file these written objections to the September 13, 2006 Findings of Fact and Conclusions of Law that were filed as a result of the renewal hearing on September 11, 2006. The Licensee and her representative will be present at the meeting of the Common Council on September 26, 2006 at 9:00 a.m. to present oral argument.

The Licensee is currently serving a 90 day suspension that will end on October 12, 2006. The Licensee voluntarily closed prior to the Common Council Hearing held on July 12, 2006 where the recommendations of the Licenses Committee were considered. As a result of being closed the licensee has endured great financial hardship, and is fighting very hard to avoid personal and corporate bankruptcy. Her first intention was to sell the business in order to salvage her finances, as she had to continue to pay a large sum of rent to keep the space at 618-624 N. Broadway. This plan failed due to the continued interference of every sale by and through the Office of the Alderman for the District, who is Robert Bauman. Several prospective buyers contacted his office and were treated rudely, and basically told that His Office would not be in support of any class B License being issued at the location.

On the last night of the operation a woman reported an incident to the Police. As the Police and the neighbor next door, conspired to collect evidence, and actually create evidence to build a record to support the revocation of the license, this evidence is not very credible. The Police report

describes an incident where a woman claimed to have a problem with other women in the Jungle and decided to leave. This woman clearly did not report any threats that she was having in the location to the management or security working that night. When the woman was over ½ block away on the corner she claims that there was a fight. However, this woman denied the need for medical attention and the actual fight was not witnessed by the responding Police. The woman's own cousin failed to state what happened.

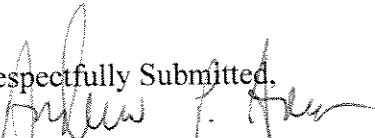
A neighbor, Mr. Arenson, who has testified that he collects video evidence every night the location is open, in order to catch something on tape to support his contention, that the license should be revoked, testified that he was filming a fight going on in the street on that evening. He claimed to watch the people leave the Jungle and start fighting in the intersection. As he was questioned about the details of the incident he claimed he couldn't recall very much of what he saw because he was busy taping, and that the tape clearly showed what he described as a brawl. Due to his inability to explain what he saw, and despite the fact that the Chairman of the Committee did not want to go into viewing the video he had collected, it was decided that the Committee should see it.

The video was shown to the Committee and made part of the record. The video did not show any parties in a brawl. All that could be seen in the video was security people from the establishment doing crowd control by getting people to go to their cars. Since Mr. Arenson was so adamant that a brawl occurred and he filmed it, he can hardly be believed when his own video in fact shows that no such event occurred. Even Alderman Wade stated during the meeting that he didn't see any fight or incident that was described on the tape and to him there wasn't enough evidence to revoke the license.

However, the result of the hearing was a recommendation for a 90 day suspension. The Licensee has submitted a new plan for management with several ideas to control the crowd. Those ideas are attached hereto. As this plan had to be made late, due to failed attempts to sell the business, a complete format change is being contemplated, but was unable to be fully developed in time for the hearing. It is the Licensee's position that back to back 90 day suspensions is unduly harsh and will most likely lead to her financial ruin. Due to the fact that the Licensee has not had an opportunity to correct the problems of patron noise, cruising, and crowd control it is extremely unfair to force her to lose all of her revenue for another 90 days. I also point out at this time that the Licensee has never been cited for any violation inside the premises, and in fact there are no real problems that occur inside.

In consideration of the fact that there is video proof that a physical altercation did not take place on June 26, 2006 the licensee respectfully requests that the Common Council consider rejecting the recommendation of the Committee and allow the license to be issued on October 12, 2006 at expiration of the 90 day suspension entered on July 12, 2006.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Andrew P. Arena". The signature is written in a cursive style with a large initial 'A'.

Andrew P. Arena,
Attorney for the Licensee

While under new management, several strategic security measures will be implemented at 618 N. Broadway to ensure a clean, safe, and secure establishment, the comfortability of the adjoining businesses, minimal needed presence of the local police department, and most importantly patron security.

- There will be a strictly enforced age requirement of 25 years of age and older.
- There will be no waiting in line. For example: 3 people out and 3 people in. Once the establishment reaches its capacity, the doors will close and the outside security staff will direct new patrons away.
- There will be a color code measure enforced: Each person will receive a colored bracelet upon entry. There will be three colors i.e. Red, Blue or Green. Each pack of bracelets contains one hundred bracelets. The first one hundred patrons will receive red bracelets. The second one hundred patrons will receive blue bracelets...and so on. Once the capacity is met, no one else is admitted. When exiting the establishment at close, people will be directed to exit in accordance to their bracelet color i.e. Everyone with red bracelets, please exit building. Once outside is cleared by security the next color group will be asked to leave and so on... this will ensure that 300 people will not be gathered on the premises at one time.
- There will be a strict dress code enforced at all times.
- Security will ensure that there is zero tolerance for loitering, rowdy, or loud patrons at any time.
- The establishment will be opened on three nights per week, Thursday thru Saturday; having the following musical theme listed respectively: Country western night, Stepping and Boppers night and Salsa night.

30+ older R+B
R Kelly