

January 23, 2023

Honorable Members of the Licenses Committee
City Hall
200 East Wells Street
Milwaukee, WI 53202

Re: Walker's Lounge & Events LLC / Felipe Martinez, Jr., Agent

Dear Committee Members:

This matter is before your committee at 2:50 p.m. on January 24, 2023. While much of the following will be discussed at the committee meeting, we wanted to provide a brief, written synopsis not only addressing the challenges that Walker's Lounge has faced in the past year, but also the many efforts the establishment has made and/or will make to improve operations.

The Committee Meeting Notice indicates 18 items during the most recent license term, beginning at item 8. Items 8 and 23 relate to proactive efforts on the part of Mr. Martinez, and neighboring businesses, to collaborate with the Second District and the Walker's Point Association to address parking and security concerns, as well as broader neighborhood issues. Even the brief synopses highlight efforts on the part of the establishment to work with neighboring businesses to address security needs and traffic concerns, as well as to work with police to address these concerns concretely, meaningfully, and holistically. That is an effort that Walker's ownership and management have engaged in continuously, before and after the specific meetings referenced here.

Items 9, 11, 14, 15, 16, 17, 18, 19, 20, and 22 all concern the theft of firearms from vehicles, only connected to the establishment because the individuals who chose to store firearms in their parked vehicles reported patronizing Walker's. It should also be noted that each of these events occurred before the meeting on December 8, 2022 (Item 23) and were the subject, among other things, of that discussion with law enforcement. Walker's does employ security guards who enforce a no weapons policy. These items do not pertain to violence or weaponry inside of the establishment, but rather speak to a broader issue in the City. We have seen reports where Milwaukee Police Department recently estimated that 1,600 firearms were stolen from vehicles in the City during 2021 and 2022 alone. The establishment works diligently to ensure the safety of its customers and part of that includes working to prevent weapons from entering the establishment. Whether a gun owner would then choose to improperly store their firearm before entering the establishment is largely out of Walker's control.

Items 10 and 21 concern issues with parking and traffic congestion. While the establishment operates a secured and staffed parking lot, some parking issues and back-up do occur. In each instance here, Walker's worked cooperatively and collaboratively to address the problem. Item 12 concerns a call for service during which patrons who became unruly were removed by security, who were cooperative with police upon arrival. Item 13 references a license premise check that only uncovered two fairly nuanced issues: a single year's worth of receipts on site (the establishment is supposed to have two years' worth) and hookah pods containing nicotine. During the check, employees were cooperative and the licensee was on scene. Item 25 concerns a nuisance designation. This has been appealed and the appeal materials are enclosed here for your reference. The issues cited in the nuisance designation concerned firearms stolen from vehicles whose owners, around the time of the thefts, reported patronizing Walker's Lounge.

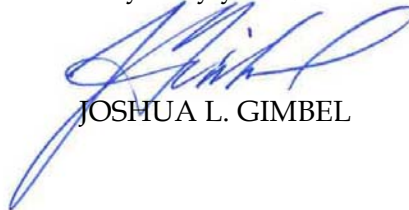
Obviously, of the items in the Notice, item 24 is the most concerning. It refers to an incident in the early morning hours of January 1st, 2023 during which a fight occurred, weapons were produced, and a shooting occurred. Thankfully, there were no fatalities. It should be noted that security was on duty that night and the individuals involved appear to have retrieved weapons from their vehicle and then returned to the establishment. While it is unclear where the security lapse occurred that allowed the weapons to be brought into the establishment when the individuals returned from their vehicles, Walker's has since ceased to work with the guards involved, as their process was clearly flawed in the most egregious way. Since the incident, Walker's has worked cooperatively with police to assist the investigation. To whatever degree the report indicates a lack of cooperation, it is either out of date or inaccurate. Mr. Martinez and his management team have worked with the responding officers on the night of the shooting, provided security footage shortly after, and have continued to pursue opportunities to assist the detective assigned to this incident.

To address this event and hopefully prevent future issues, Walker's has implemented additional security measures. The establishment has added security at the front door and in the area around the establishment. This added security staff will undergo continuous refresher training every six months to ensure that they maintain the ability to preserve order in a respectful and proactive fashion. Walker's has also posted additional signage prohibiting firearms and trespassing. These signs are intended as a supplement to the proactive security measures just referenced, not as a substitute for them. Walker's also intends to implement a dress code in an effort to enhance the patronage it attracts.

Additionally, Walker's has and will continue to maintain an open line of communication with MPD and seek to collaborate where possible. Mr. Martinez is a long-time local resident with a number of businesses in the area around the establishment. He wants, more than anything, to enhance neighborhood safety and improve conditions for residents and visitors alike. This is not, however, a feat he can accomplish on his own. To that end, Mr. Martinez respectfully requests renewal of the licenses for Walker's Lounge to allow him to continue working with key stakeholders to improve the area around the establishment, improve services within the establishment, and be an asset to the neighborhood. If

given the opportunity, Mr. Martinez will continue to demonstrate his deep commitment to his patrons and his neighbors.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Joshua L. Gimbel", written over the typed name.

JOSHUA L. GIMBEL

/lkg

enclosures

January 23, 2023

Administrative Review Board of Appeals
City Hall, Room 205
200 East Wells Street
Milwaukee, WI 53202

Re: **Appeal of Nuisance Designation – 626 S. 5th St.**

Dear Board Members:

This office has been retained by Felipe Martinez of FKM Investments LLC in relation to the recent nuisance designation of the premise at 626 S. 5th St., which does business as “Walker’s Lounge MKE”. Pursuant to MCO § 80-10-5-a, Mr. Martinez files this appeal and requests a hearing before the Administrative Review Board of Appeals pursuant to MCO § 320-11-6-d.

As grounds for this appeal, Mr. Martinez offers the following response to the information contained in the Notice of Nuisance Premises dated January 3, 2023. A copy of the notice is attached for your reference.

To begin, the notice cites four specific incidents that give rise to the designation. Each of those incidents relate to theft from vehicle complaints. Each occurred while the vehicles were parked on the street, and apparently not in the designated and secured lot belonging to and maintained by Walker’s Lounge. While the victims each reported patronizing Walker’s Lounge prior to the thefts, that is the only connection between the incidents and the establishment. The notice, somewhat misleadingly, states that each theft occurred “at the premise”, despite the vehicles most likely only being parked on public roadways. The incidents, as described in the notice, do not form a reasonable basis to assign responsibility for the criminal activity in question to the establishment.

Additionally, when Mr. Martinez was served with notice relating to the renewal of his licenses and asked to appear before the Licenses Committee at their January 4, 2023 meeting, none of the four incidents now forming the basis for a nuisance designation were contained or referenced in the notice. Given that the incidents occurred well before this meeting date and reports related to them were undeniably written and available, it is reasonable to assume that they were not attributed to the establishment. If the City believed they were the fault of Walker’s Lounge, surely the reports would have appeared in their notice so that discussion of them could be had at the meeting. Moreover, 626 S. 5th St. is located in a vibrant and densely populated corridor of Milwaukee’s near south side. Within blocks of the establishment are more than a dozen other businesses, many of which operate during the same hours and cater to the same clientele as Walker’s Lounge. Given this location, it is even less clear how the

criminal activity noted here, occurring on public property, could somehow be the sole responsibility of the establishment or form a reasonable basis to designate the establishment a nuisance.

While Mr. Martinez disagrees with the nuisance designation, he is not unmindful of the issues in and around the area. To that end, he has made a proactive effort to improve conditions by collaborating with other nearby business owners, representatives of Police District 2, and representatives from the office of the local alderperson to propose solutions that would have a meaningful, holistic impact on the crime and disorder that effects the neighborhood. Examples of proposals that have been discussed by the group include:

1. A collaborative effort among local businesses to fund an additional police presence during the weekends;
2. A proposal to implement traffic calming measures to limit vehicular traffic in an effort to increase safety and lessen the impact of large crowds of patrons;
3. Collaborative efforts among business owners to keep the area clean by collecting trash and debris;
4. Maintaining a line of communication with Bradley Tech High School to report and proactively prevent students from engaging in unlawful activity in the area; and
5. Engaging with nearby stakeholders to address neighborhood “dead zones”, vacant lots with limited to no development that lack lighting and security, and provide a haven for criminal activity.

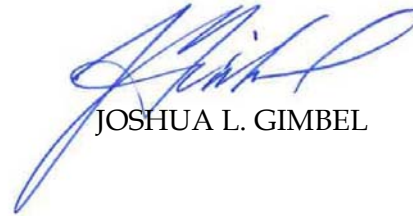
All of these measures, if adopted and implemented, would have a measurable impact on issues like those cited in the notice.

Alternatively, branding 626 S. 5th St. a nuisance premise would have the opposite effect. It would discourage the continued efforts of not only Mr. Martinez, but other local businesses, if the City’s response to proactive community engagement and responsible business ownership was simply to assign blame for City-wide problems to the small few that seem to be genuinely engaging in the difficult work of finding solutions that benefit not only their businesses but also their neighbors. Mr. Martinez has embraced, without hesitation, the opportunity to put his time, effort, and, when necessary, financial resources toward improving the area. While such an effort, with buy-in from all stakeholders - including businesses, schools, community activists, local political leadership, and the Milwaukee Police Department - has the potential to benefit everyone, a nuisance designation that holds Mr. Martinez responsible for the behavior of criminals benefits no one and proliferates the problem.

Mr. Martinez is not an absentee business owner. He is an engaged member of the community with a deep commitment to its improvement. He welcomes a discussion of collaborative opportunities to fix problems and improve the quality of life for nearby residents and visitors alike. This, however,

cannot and will not be accomplished if the emphasis is on pointing fingers rather than finding solutions. To that end, Mr. Martinez respectfully requests the opportunity to appear before the Board to more fully discuss the many improvement efforts he is engaged in and the support he and other business owners require to address area needs. It is Mr. Martinez' belief that this discussion will clearly indicate that Walker's Lounge is an asset to the community, not a nuisance.

Very truly yours,

A handwritten signature in blue ink, appearing to read "J. Gimbel", is written over the typed name "JOSHUA L. GIMBEL".

JOSHUA L. GIMBEL

Attachment

CC: Patrick Pajot, District 2 Commander, Milwaukee Police Department
Jose Perez, Common Council President and District 12 Alderman