

COMMITTEE ASSIGNMENTS

CHAIR

- Licenses Committee

MEMBER

- Steering and Rules Committee
- Community and Economic Development Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

March 22, 2018

To the Honorable, the Common Council

Dear Members:

Re: Common Council File Number 171487

Attached are the written objections to file number 171487, Motion relating to the recommendations of the Licenses Committee relative to licenses, relating to the recommendation of:

Renewal, with a ten (10) day suspension, based upon the police report of the Class B Tavern, Food Dealer, and Public Entertainment Premises licenses for Patsy Smith-James for the premises located at 628 N Water St ("District IV") in the 4th aldermanic district.

Nonrenewal, based upon neighborhood testimony of the Class B Tavern and Public Entertainment Premises licenses for James Harrison for the premises located at 3945 N 35th ("Tatou") in the 7th aldermanic district.

This matter will be heard by the full Council at its Tuesday, March 27, 2018 meeting. Pursuant to City Ordinances, a roll call vote will be taken to confirm that all members have read the attached statements and materials.

Respectfully,

A handwritten signature in black ink that reads "Tony Zielinski". The signature is written in a cursive, flowing style.

Tony Zielinski, Chair
Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
CCF 171487

Vincent J. Bobot
Attorney at Law
5414 South 13th Street
Milwaukee, WI 53221
(414) 430-1249
Facsimile: (414) 282-9522

Office of the City Clerk
City Clerk James R. Owczarski
200 East Wells Street, Room 205
Milwaukee, WI 53202

Re: Patsy Smith-James
Highee's MKE LLC d/b/a The District
628 North Water Street
Milwaukee, WI 53202

CITY OF MILWAUKEE
2018 MAR 21 AM 10:20
CITY CLERK'S OFFICE

Dear Clerk Owczarski:

On behalf of my client (Highee's MKE LLC), I am filing a written objection to the findings of fact and conclusions of law concerning the renewal of the Class "B" Tavern, Public Entertainment Premises (PEP) and Food Dealer Licenses for the premises located at 628 North Water Street in the City and County of Milwaukee, Wisconsin.

As a result of the hearing conducted by the Licenses Committee on March 6, 2018, a recommendation for a ten (10) suspension of my client's licenses will be put forth for adoption by the Common Council on March 27, 2018.

First and foremost, my client objects to the ten (10) suspension because there were no citizen witnesses opposing the renewal of said licenses at the hearing. Additionally, the police report listed several incidents at the District Nightclub, none warranting a suspension of my client's licenses. Finally, Alderman Robert Bauman, the local alderman, at the conclusion of the hearing, recommended the Licenses Committee issue my client a written warning as a result of the police report.

Additionally, during the hearing, Alderman James Bohl Jr., inquired about the relationship of Patsy James-Smith's son, Robert Smith, to the premises. Alderman Bohl was then informed that Robert Smith was only a patron at the nightclub. Alderman Bohl's inquiry was odd at best because Robert Smith does not work or have a financial interest in the District nightclub nor does his name appear on the license application or anywhere on the police reports. Also, Alderman Bohl was the member of the Licenses Committee that recommended a ten (10) suspension of my client's licenses disregarding Alderman Bauman's recommendation for a written warning.

Most importantly at the hearing, testimony was provided to the Licenses Committee that my client met with representatives from the

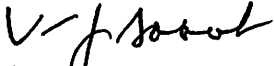
Milwaukee Police Department concerning the overall safety at the nightclub. As a result of the meeting and in cooperation with the Milwaukee Police Department, my client made extensive and comprehensive additions to enhance the security at the nightclub.

Therefore, considering the information provided to the Licenses Committee from the police report, a ten (10) suspension is not warranted and would result in a severe financial penalty to my client and a hardship to the many employees at the nightclub.

In conclusion, I respectfully request that the full board of the Common Council follow Alderman Robert Bauman's recommendation for a written warning to be given to my client as a result of the police report.

Thank you for your time and attention to this request.

Very truly yours,



Vincent J. Bobot
Attorney at Law
State Bar No. 1020732



Law Office of David Halbrooks

March 21st, 2018

Via Email Only (jowcza@milwaukee.gov)

Office of the City Clerk
City Clerk Jim Owczarski
City Hall
200 East Wells Street, Room 205
Milwaukee, WI 53202

Re: Tatou Amusement, LLC, (Tatou) 3945 N. 35th Street, Milwaukee
Objections

Dear City Clerk Owczarski,

My office is Counsel to Tatou Amusement, LLC. This letter serves as my client's written objection to the "Findings of Fact and Conclusions of Law" and recommendation of the Licenses Committee ("Committee"). The specific objections are for paragraphs F-P on the "Findings of Fact":

1. Ed Wabarucha did not tie any activities related to Tatou. His objection was to alcohol and the activities inside. The objections are not valid for an operating establishment with no enforcement history.
2. Jennifer O'Hare raised no valid objections for an operating establishment with no enforcement history.
3. Rotisha Nelson raised no valid objections for an operating establishment with no enforcement history. She did not appear to know that Tatou has been operating without incident for five years.
4. Pearl Gatson raised no valid objections for an operating establishment with no enforcement history.
5. Barbara Gruenwald's testimony did not rise to level of non-renewal for an operating establishment with no enforcement history. The Findings incorrectly state that she has a business next to Tatou when she stated that she was at the other end of the block.
6. Edward Miller did not testify to any matter relevant to Tatou. His testimony was for previous operators of the premises.



7. Barry Givens, Martha Love, and Bianca Williams presented no testimony relevant to the operation of Tatou.

Additionally,

8. Alderman Rainey stated that there was not a legal basis to take action against Tatou, but then moved for non-renewal.
9. The Licenses Committee recommendation for non-renewal violates Tatou's property right in its licenses.
10. The Licenses Committee recommendation for non-renewal violates Tatou's First Amendment rights. The non-renewal recommendation is a pre-text for the neighborhood objections to adult entertainment at Tatou.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "David Halbrooks". The signature is written in a cursive style with a large initial "D".

Attorney David Halbrooks