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Office of the City Clerk

Ronald D. Leonhardt
City Clerk

Carolyn Hill Robertson
Deputy City Clerk

June 23, 2006

Jodie R. Kornfehl, Agent
JK Fun Holdings, LLC
2124 West Walnut
Milwaukee, WI 53205

Attorney Andrew Arena
Kopp, Arena & Bishop, S.C.
1110 N. Old World Third Street, Ste. 515
Milwaukee, WI 53203

Don Arenson
608 N. Broadway
Milwaukee, WI 53202

Attorney Aaron Bernstein
Goodman Law Offices
135 West Wells Street, Suite 340
Milwaukee, WI 53203

Dear Ms. Kornfehl, Mr. Arenson, Messrs. Arena and Bernstein:

You are hereby notified that the Milwaukee Common Council will hold a hearing on July 12, 2006 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 53202 to consider the Class "B" Tavern and Tavern Amusement Cabaret (Nite Club) license for the premises located at 618-24 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle").

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 a suspension of the Class "B" Tavern and Tavern Amusement Cabaret (Nite Club) license for ninety (90) days. The recommendation is the result of a public hearing before the Committee held on June 23, 2006, a police report and a complaint of Donald S. Arenson.

You may file a written objection to the Report of the Licenses Committee. If you file a written objection to the report of the Licenses Committee, you may also appear before the Milwaukee Common Council to make oral arguments supporting your written objections and present oral arguments supporting that objection to the Common Council. Any written objections to the Committee's Report must be filed with the City Clerk at least three (3) working days prior to the above-mentioned date set for hearing by the Common Council. You or a legal representative may then also appear at the Common Council

meeting and request an opportunity to address the Common Council for approximately five (5) minutes to present an oral argument on your own behalf.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Ronald D. Leonhardt". The signature is written in black ink and is positioned above the printed name and title.

RONALD D. LEONHARDT
City Clerk

Attachment

cc: License Division
CCF 060290



JAMES N. WITKOWIAK
ALDERMAN, 12TH DISTRICT

Date: June 23, 2006

To: All Members of the Milwaukee Common Council

From: The Licenses Committee

Re: Report of the Licenses Committee of the Class "B" Tavern and Tavern Amusement Cabaret (Nite Club) License held by Jodie R. Kornfehl, Agent for JK Fun Holdings, LLC on the complaint of Donald S. Arenson seeking the revocation of the Class "B" Tavern and Tavern Amusement Cabaret (Nite Club) License for the premises located at 618-24 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle").

FINDINGS OF FACT

1. Jodie R. Kornfehl (hereinafter the "Licensee") as agent for JK Fun Holdings, LLC is the holder of a Class "B" Tavern and Tavern Amusement Cabaret (Nite Club) License for the premises located at 618-24 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle"). Said license expires at midnight October 10, 2006.
2. A complaint seeking the revocation of said license was filed with the Office of the City Clerk on June 16, 2006 by Donald S. Arenson. The complaint alleged that the premises known as "Jungle" was operated in a manner that constituted a public and private nuisance which was having a substantial adverse effect upon the health, safety, and convenience of the neighborhood. It further alleged that since September 2004 there have been constant disturbances during the night time hours, including fights, discharge of weapons, and general melee for a period of twenty minutes at closing time.
3. On June 19, 2006 the complaint was served upon Jodie R. Kornfehl with a summons containing a copy of § 90-12 of the Milwaukee Code of Ordinances and chapter 125 of the Wisconsin Statutes.
4. Said summons commanded the appearance of Jodie R. Kornfehl to answer the complaint of Donald S. Arenson on June 23, 2006 at 9:00 a.m. in Room 301-B of City Hall. Jodie R. Kornfehl as agent for JK Fun Holdings, LLC appeared and answered the complaint as summoned and was represented by Attorney Andrew

Arena, Kopp, Arena & Bishop, S.C., 1110 North Old World Third Street, Suite 515, Milwaukee, WI 53203

The complainant, Mr. Arenson, was represented by Attorney Aaron Bernstein, Goodman Law Offices, 135 West Wells Street, Suite 340, Milwaukee, WI 53203.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
 - A. On August 15, 2004 at 2:10 a.m. an officer of the Milwaukee Police Department was flagged down regarding trouble with a person at 618 North Broadway. An altercation occurred between the bartender, Bradley L. DesArmo and a patron. The bartender claimed that the patron threw a glass and a candle at him and then stood on the bar. The patron was issued a citation for disorderly conduct.
 - B. On December 18, 2005 at 1:10 a.m. officers of the Milwaukee Police Department responded to the area of 500 North Broadway regarding a shooting. The investigation revealed that two groups of youths who as been at the licensed premises at 618 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle") for an underage event had been removed from the premises because they were flashing gang signs at each other. One group went to the parking lot in the 500 block of North Broadway when the second group appeared. Shots were fired and one person was struck in the shoulder. An incident report was filed.
 - C. On February 11, 2005 at 1:54 a.m. officers of the Milwaukee Police Department were sent to a fight at the licensed premises at 618 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle"). A fight had occurred according to witnesses, but they stated it occurred outside and around the corner. The officers observed no fight.
 - D. The Milwaukee Police Department was called to the licensed premises at 618 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle") for a complaint of large crowds exiting the bar, and found no incidents to report, on the following dates and times:
 - August 12, 2005 at 1:47 a.m.
 - August 19, 2005 at 1:39 a.m.
 - September 2, 2005 at 1:36 a.m.
 - September 9, 2005 at 1:35 a.m.
 - September 23, 2005 at 1:27 a.m.
 - September 30, 2005 at 1:29 a.m.
 - October 14, 2005 at 1:28 a.m.
 - October 28, 2005 at 1:44 a.m.

- E. On November 25, 2005 at 1:43 a.m. officers of the Milwaukee Police Department were sent to the licensed premises at 618 North Broadway in the city and county of Milwaukee, Wisconsin ("Jungle") to monitor crowd and traffic at closing time of the licensed premises. Officers observed a pedestrian in traffic who was refusing to get out of the road and causing a disturbance. Officers arrested and identified him as Steven D. Bradford. The subject then began yelling profanities and resisting arrest when another patron began to interfere with the investigation. This subject was identified as Allen J. Brooks. He also resisted arrest and because of this, caused a crowd of about 100 people to gather posing a threat to officer safety. More units were called and order was eventually restored. Both Bradford and Brooks were charged with disorderly conduct and resisting arrest. Another patron was arrested for disorderly conduct for his actions of yelling at the police and waving the middle finger, causing a disturbance. He was identified as Christopher M. Vold. One officer suffered minor injuries while decentralizing Brooks. That officer was treated and released.
- F. On December 4, 2005 at 12:14 a.m., officers of the Milwaukee Police department were flagged down for trouble with a subject that was occurring outside the licensed premises at 618 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle"). An officer observed two subjects in front of the location yelling at each other. Field interviews were conducted and subjects were identified as Nichole and Julio Mejia. The female claimed she was attacked by another patron inside the club. The investigation revealed that Nichole Mejia and Aideliz Guadalupe were both fighting and both were issued disorderly conduct citations. While officers were conducting this investigation, they observed a female hitting a security employee of the licensed premises and arrested her for disorderly conduct. She was identified as Sheila Nunez and received a citation. The earlier incident was witnessed by security personnel for the licensed premises The Jungle Bar.
- G. On December 31, 2005 at 1:34 a.m., officers of the Milwaukee Police department were flagged down for a fight that was occurring inside the licensed premises at 618 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle"). Officers observed several people pushing and shoving and arguing as they exited the club. Additional units were called in and subjects were all directed to their cars and told to leave. One citation was issued to Marcus Buckner for resisting/obstructing an officer. The subject was refusing to leave after several warnings were given to him to leave the premise.
- H. On February 3, 2006 at 1:40 a.m., officers of the Milwaukee Police department were dispatched to 600 North Broadway for a complaint of trouble with a subject. Officers were advised by security of the licensed

premises at 618 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle") that a black male wearing a brown furry coat was standing in the middle of the road and that he was armed with a gun. Officers began approaching this subject and when he saw officers he fled on foot. There was a brief foot pursuit and the subject was apprehended and a loaded glock .22 was recovered. The subject's identity was not included in this report. Officers spoke with George Willis, who is one of the security guards at the licensed premises "Jungle" and he stated there were no problems with this individual in the bar and it was only when this subject left the bar that an argument began between him and another individual. That is when George Willis noticed a gun in the subject's waistband and called police.

- I. On March 10, 2006 at 1:14 a.m. officers of the Milwaukee Police department were dispatched to North Broadway and West Wells for a fight complaint at the licensed premises at 618 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle"). Upon their arrival officers observed that all parties in the fight were no longer on the scene. However, due to the fight there was a large crowd at the front of the licensed premises, and officers began dispersing the crowd. The club also decided to close the business early. More units were called in for traffic and crowd control.
- J. On March 24, 2006 at 1:09 a.m. officers of the Milwaukee Police department were dispatched to the licensed premises at 618 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle") regarding a battery complaint. Officers spoke to Shanthe Curry who stated that she was punched in the eye by a guy she has known for a couple of months. This subject was identified as Dontrae Henning. Security witnessed the incident and removed Dontrae Henning from the licensed premises. Officers were unable to locate Dontrae Henning and mailed him a battery citation regarding this incident. Officers then remained on the scene with other additional units for crowd and traffic control at closing time.
- K. On March 31, 2006 at 1:46 a.m. officers of the Milwaukee Police Department conducted crowd and traffic control at the licensed premises at 618 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle"). No incidents were reported.
- L. On April 21, 2006, officers of the Milwaukee Police Department were dispatched to the licensed premises at 618 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle") to monitor closing time. Officers conducted a licensed premises check and found no violations. At closing, the crowd began to disperse from the bar and congregate in the parking lot playing loud music and shouting. Cruising began in the area

with squealing tires, drag racing, passengers hanging out of moving autos and other traffic violations. Some patrons were observed with drinks in their hands as they left the bar. One patron vomited on the sidewalk and walked back into the bar where he remained well after the closing hours. Due to limited police resources, no enforcement was taken regarding these incidents.

- M. On April 28, 2006 at 1:35 a.m. officers of the Milwaukee Police Department were assigned to monitor closing time at the licensed premises at 618 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle"). While monitoring patrons exiting the bar, officers observed a fight break out between several men near the bar. Security separated the men and one actor was identified as David V. Montgomery and issued a citation for disorderly conduct. Due to extra officers being assigned to monitor closing, police were able to enforce traffic laws and attribute the arrests of three subjects on state warrants, five municipal citations were issued, 37 traffic citations were issued, one pedestrian citation was issued and 25 parking citations were issued. A pistol was found abandoned in the gutter after the crowd was cleared out and placed on inventory.
- N. On May 26, 2006 officers of the Milwaukee Police Department were dispatched to the licensed premises at 618 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle") for crowd and traffic control. It took almost five hours and four district police cars to remove subjects and cars that were refusing to leave the area after exiting the licensed premises. Two patrons were issued citations for several violations. These patrons were identified as Jamaal Evens, who was issued a citation for loitering tavern and Raneshia Jemison, who was issued a citation for park/standing prohibit area, unsafe lane deviation and operating after suspension.
- O. The Captain of the First Police District, Captain Linda Haynes, appeared and testified at this proceeding. She testified that the activities of the patrons of this tavern at closing time is using so much of her police resources that she is not able to effectively manage issues with other taverns in her District, and that she is required to request assistance from other police districts in order to control the situation at this location. Captain Haynes also testified that she has sent a letter to the building owner where this premises is located under the provisions of § 80-10 of the Milwaukee Code of Ordinances declaring this location a chronic nuisance and, thus far in the year 2006, billing the building owner \$4,000.00 for police service to this location.
- P. Captain Haynes and the local alderman also testified that there was a time when the problems from the operation of what are known as "teen nights" were thought to be the source of the difficulties with this premises. As a

result it was agreed that teen nights would not be held. The premises voluntarily closed for a time when the change in format was taking place. During that time Captain Haynes testified that "Things returned to normal."

- Q. In addition, this premises only operates on Thursday evenings and Friday mornings and Saturday evenings and Sunday mornings. During those times that the premises is closed there are no problems. However, when this location is operating (Thursday evenings and Saturday evenings) the problems regarding traffic control, unruly and disorderly crowds at closing time continues unabated. Captain Haynes attributed the crowds and behavior to the fact that the premises has instituted ladies night.
- R. Both the Complainant and the Milwaukee Police presented video evidence that this location does indeed have crowds at closing time, in the street, milling about, creating noise and disturbances, and blocking traffic. The Complainant has been awoken and disturbed by the action of the patrons of this premises at closing time. In addition, evidence was presented by the Complainant and the Milwaukee Police Department showing cars pulling up and simply stopping in traffic to pick up or discharge passengers.
- S. The licensee argued to the Committee that what takes place at her premises is no different that what takes place at any other tavern located in the down town area at closing time. However, Captain Haynes also testified that the problems associated with "Jungle" are three times what she has on Water Street.
- T. In addition the licensee argued that the persons portrayed on the video presentation could be coming from other taverns in the vicinity. However, the member of the Milwaukee Police Department and the Complainant testified that they have seen the person creating the disturbances come from the premises known as the "Jungle."
- U. Finally the licensee presented testimony that some of the individuals in cars coming to the premises are in fact not patrons, but are merely waiting to "pick up" patrons at closing time by talking to them in the street or on the sidewalk, and therefore this premises is not really responsible for the conduct of those individuals. It is clear, however, that the individuals causing the disturbances are in fact doing so in connection with the operation of the premises known as "Jungle."
- V. Captain Haynes also testified that she has met with the licensee to discuss ways in which the premises could operate in a manner that would not pose the constant problems that it does for the Milwaukee Police Department.

However the premises continued to operate in a manner that uses police resources and disturbs the complainant.

CONCLUSIONS OF LAW

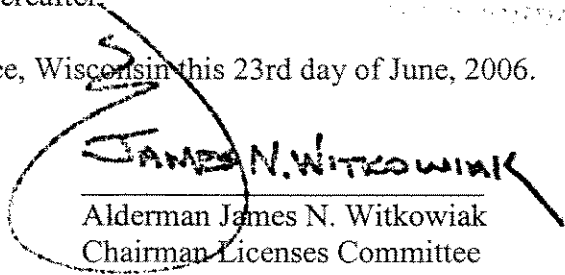
1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 125 of the Wisconsin Statutes and Chapter 90 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee Jodie R. Kornfehl has not met the criteria of Chapter 125 of the Wisconsin Statutes or Chapter 90 of the Milwaukee Code of Ordinances to allow the continuation of her Class "B" Tavern and Tavern Amusement Cabaret (Nite Club) license without undergoing a ninety (90) day suspension.
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 renew the Class "B" Tavern and Tavern Amusement Cabaret (Nite Club) license held by Jodie R. Kornfehl, as agent for JK Fun Holdings, LLC, for the premises located at 618-24 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle ") after undergoing a ninety (90)day suspension, based upon her past activities as licensee and for the danger that the continued operation of the premises poses to the health, safety and welfare of the citizens of the City of Milwaukee.

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of three (3) ayes, one (1) noe and one (1) excused recommends that the Class "B" Tavern and Tavern Amusement Cabaret (Nite Club) License of Jodie R. Kornfehl, as agent for JK Fun Holdings, LLC, for the premises located at 618-24 North Broadway in the City and County of Milwaukee, Wisconsin ("Jungle") be suspended for a period of ninety (90) days.

Said suspension is to be in effect between the date and time of service of the final action of the Milwaukee Common Council upon the agent of the licensee and for a period of ninety (90) days thereafter.

Dated and signed at Milwaukee, Wisconsin this 23rd day of June, 2006.

A handwritten signature in black ink, appearing to read "JAMES N. WITKOWIAK", is written over a circular stamp. The stamp contains the printed name and title of the signatory.

James N. Witkowiak
Alderman James N. Witkowiak
Chairman Licenses Committee

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