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- Zoning, Neighborhoods and Development



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- Steering and Rules Committee
- Wisconsin Center District Board

MILELE A. COGGS
ALDERWOMAN, 6TH DISTRICT

June 10, 2021

To the Honorable, the Common Council

Dear Members:

Re: Common Council File Number 201608

Attached are written objections to file number 201608, Motion relating to the recommendations of the Licenses Committee relative to licenses, relating to a recommendation of:

Nonrenewal, based on the police report, and aldermanic, applicant, and neighborhood testimony of the Class B Tavern, Food Dealer, and Public Entertainment Premises licenses for Gary Lieske for the premises located at 927 N 27th St. ("Gare-Bear's") in the 4th aldermanic district.

This matter will be heard by the full Council at its Tuesday, June 15, 2021 meeting. Pursuant to City Ordinances, a roll call vote will be taken to confirm that all members have read the attached statement and materials.

Respectfully,

A handwritten signature in black ink that reads "Milele A. Coggs".

Milele Coggs, Chair
Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
CCF 201608



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June 8, 2021

VIA EMAIL (jowcza@milwaukee.gov) and
(molly.kuether-steele@milwaukee.gov)

City of Milwaukee
City Clerk
Attn: Dana Zelazny
City Hall – Room 205
200 East Wells Street
Milwaukee, WI 53202

RE: My Client: Gary L. Lieske
License: 927 North 27th Street, Milwaukee, WI 53208 (Gare-Bears)

Dear Ms. Zelazny:

On behalf of my client, Gary L. Lieske, we object to and we are responding to the June 4, 2021 Findings of Fact and recommendation and are appealing that decision.

This is our response:

With respect to the Findings of Fact, Items 1-4 are agreed to. Item 5A-C are agreed to, and show that Gary Lieske and all of his employees have been extremely cooperative with the police for the three incidents reported during the last year.

We disagree with Item 5D in that almost all of the issues that have occurred in the neighborhood, do occur in areas outside of this bar, and are not from patrons of the bar. Gary Lieske says that not only has he been cooperative, and all of his employees have been cooperative, but in addition, each time the police come and want to see security footage of anything that has happened in the area, they always cooperate with the police, and allow them to come in, and view that videotape, at all times.

Gary Lieske now has a security person seven days a week from 10 p.m. to closing, and he usually closes before bar time by half an hour. His license is limited to age 25 and older, which means he does not allow young people in his establishment. All of his bartenders are sure that anytime a patron is about to drink too much, they cut them off and make sure that they are safe.

The people who are causing problems in the neighborhood are not patrons of Gary Lieske's bar.

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We have called MPD numerous times, and we have witnessed MPD on bikes simply ride right past the real offenders.

We have been told by police that basically there is nothing they can do about the loitering, public drinking, aggressive panhandling, that seems to be increasingly worse.

There have been many problems in the neighborhood for many years, and Gare-Bears has done everything they could to try to make sure that those problems are mitigated. If anyone loiters near the bar, the employees make sure that they do not loiter there. While we are not responsible for neighborhood litter, Gary's employees are always cleaning up all the litter in the area, including at, or near, the park, on the corner.

Gare-Bears' bartenders are always cooperative with all people, and try their best to make sure that no loitering occurs. It was true that there were problems in the park, but now the park appears to be locked, so there are less problems with barbecues, sleeping, and things of that nature.

Alderman Bauman, at the time of hearing, provided hearsay testimony about what he claims he has heard, but he has no first-hand knowledge whatsoever. In fact, no one at the hearing provided any first-hand knowledge of any time that any patron of Gare-Bears, did anything wrong in the neighborhood. Although Alderman Bauman says there is a significant police record, which is not true, the only three incidents reported in the cycle show complete cooperation, and no significant problems whatsoever. Gary Lieske has owned this bar for 38 years, and has always been cooperative with the police, as well as the neighborhood.

We do not have any personal knowledge what is happening with Family Dollar, or at Wendy's, but we have at all times been cooperative with the neighborhood.

Alderman Bauman talked about Family Dollar, and we are not aware of what issues are occurring at Family Dollar, and whether they claim that problems came from other places, or not.

Gare-Bears has always taken care of their customers, and only serves people who are their regular customers, and their regular customers do not cause any problems in the area whatsoever.

With respect to the people who spoke at the hearing, Gail Johnson made a blanket statement concerning too many places selling liquor, in the neighborhood.

With respect to Keith Stanley, although there are challenges in the neighborhood, these challenges do not stem from Gare-Bears' patrons.

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In response to the public garden next door to our property, our patrons do not, and have never hung out or loitered in this area. We have called the police for occurrences of alleged illegal activities, such as homeless people bathing in the park, sleeping in the park, and drinking in the park.

Jeff Martinka also cannot say, and did not say, that Gare-Bears' patrons have caused any problems. He made some statement that there are occasionally times where people are outside smoking in front of the 27th Street Gare-Bears' location, but that is because smoking is not allowed in the building. Bartenders do not allow any drinking outside of the premises, only smoking.

The Gare-Bears' patrons have been policed, by Gary's employees, and will continue to be policed. While Martinka says that he spent about \$45,000 to improve the park for residents, and that is extremely good, it is at least in part, because of those amenities, that people were drawn to the park, which has now caused it to be locked.

Gare-Bears' employees have gone and cleaned up litter in front of the park, as well as in the park, before it was locked.

Gary Lieske has owned and operated this bar for more than 38 years, and has put in more than \$500,000 in the building, the apartments and the three businesses. Part of that is the new security cameras, that were recently installed. He now has 16, and previously he had 16 security cameras before that, but since not all were working, he replaced them all. He now has a security detail every day from 10:00 p.m. to closing. He never stays open to the exact closing time, but always closes earlier than the closing time.

If Gary chooses to sell the bar, that is not a reason not to renew his license, and he will continue to cooperate fully with the police in the neighborhood, as he always has.

There is no legitimate reason not to renew Gary Lieske's license in this case, which would cause the loss of 11 bartender, 2 security and 2 cleaning jobs.

Respectfully submitted,



MICHAEL S. WINTER

MSW/db/pdm

cc: Gary Lieske – via email (garylieske@yahoo.com)