

CHAIR
• Licenses Committee

MEMBER
• Community and Economic
Development Committee
• Steering and Rules Committee



TONY ZIELINSKI
ALDERMAN, 14TH DISTRICT

November 1, 2013

To the Honorable, the Common Council

Dear Members:

Re: Common Council File Number 130710

Attached are written objections to file number 1301710, substitute motion suspending for 30 days the Class "B" Tavern and Public Entertainment Premises licenses of Habib Manjee, agent for Lady Bug Club, LLC for the premises at 622 North Water Street doing business as "Club 618 Live on Water" in the 4th aldermanic district.

This matter will be heard by the full Council at its Tuesday, November 5, 2013 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 blue ink that reads "T. Anthony Zielinski".

T. Anthony Zielinski, Chair
Licenses Committee

cc: All Council Members
City Attorney's Office
Common Council/City Clerk – License Division
CCF 130710



Christopher Law Office LLC

October 30, 2013

The Honorable Members of the Milwaukee City Common Council
Milwaukee City Hall
200 E Wells Street
Milwaukee, WI 53202

Re: Written Objections Regarding 30-Day Suspension of Lady Bug Club, LLC.

Dear Honorable Council Members:

On September 11, 2013, two citizens put their reputations on the line for the benefit of their community. They undertook the unprecedented action of filing written complaints requesting this council to revoke the license of Ladybug Club—a club where violent crime, along with other nuisance activities, have been directly related to that club's operations.

The activities surrounding the club has a substantial adverse impact on the community. The Club creates a constant threat to safety for residents and visitors in the area. Recently, and within a period of 5 weeks during the summer, three separate incidents of shootings took place in the vicinity of where the complainants and others live and work. Two of the shootings were confirmed by police as being directly related to the club as its patrons were involved in the shooting as they left the club (June 2, 2013) or resulting from a fight that occurred within the club (July 13, 2013).

Sadly, three people were shot in the gunfire. The suspects in the June 2nd and July 13th shootings were patrons of the club. In one of the shootings, a bullet went through the window of a local business and legally parked cars were riddled with gunfire. *The activities at the club have only escalated and have become more violent since the last warning letter issued by the Common Council to the club in November 2012.*

Problems with this establishment affecting the safety, enjoyment and prosperity of the neighborhood are not limited to these incidents. Testimony regarding constant need for police presence during operations, ongoing fights for which police are unable to control, loud noise, cruising, and escalated violent crime have created an economic dead-zone in the heart of Milwaukee. Not to mention a safety concern for residents and businesses in the immediate neighborhood.

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Adding to concerns is the devastating impact the Clubs activities have had on the economic well-being of the neighborhood, especially at a time when Milwaukee is developing a stronger reputation as a desirable city to invest and conduct business. Two of the shootings took place immediately in front of the Hilton Garden Inn located on 611 N. Broadway Streets. It was the hotels guests, from outside Wisconsin and even the United States, who served as witnesses for the police. The hotel has invested \$19 million to renovate a gem of building in order to attract vibrancy to Milwaukee's downtown neighborhood. Bringing with it 80 mostly full-time jobs and countless number of accompanying service jobs. News reports of the shootings, with the new hotel in the background, ran on Channel 12. Complaints of constant noise, gunfire, fights and cruising flooded the complaints of the hotel costing them thousands of dollars in compensation and untold amounts in lost business. The result of the clubs activities have resulted in the investment group delaying in renovating the Mackey Building, located across the street.

Telling is the committee's report and the number of businesses, individuals, community organizations and community leaders that have testified that not only is the operation of the 618 Club resulting in a safety and nuisance threat, but that the operation is creating an economic dead-zone in the heart of our city. Representatives from the Downtown Neighbors Association testified for revocation, a Representative from the Business Improvement District testified that the continued operation of the club is a severe and ongoing threat –citing as an example of having to lend their street sweeper to a local business to clean up blood from a recent shooting associated with the club. Despite the Club bringing in people to testify, no business nor resident within the immediate neighborhood testified in support of the clubs on-going operation.

Also telling was the testimony of business owners and community advocates. Rachel Foreman, Executive Director of the Grand Avenue Club, an organization which provides work and projects for those with mental illness and striving to get back into society, stated that they cannot expand their programs because of the nuisance activities on the streets emanating from the club. John Halverson from the Grain Exchange, a Bartolatta Restaurant, indicated that they have lost business and frequently receive calls about safety regarding incidents of violence originating from the club.

Finally, is the lack of concern for the community exhibited by the Club. While they have complied with the police in investigations and alert the police to when there will be "rough crowds," the gestures seem geared toward self-preservation. No efforts have been made by the ownership of the club to address the concerns of the community—the obvious reason is that club ownership does not believe they are responsible for the problems stemming from the operation of their club. Windows have been broken of nearby businesses but the Club, yet despite promises, failed to compensate them. When one community leader

testified as to the impact of the operation of the club on businesses, she was attacked as not-credible because she did not have a “college degree.”

As the finding of facts point out, the Licensee has stated to officers that he was going to “pay bums to sit in front of the hotel and go inside” in attempts to hurt the hotel. When complaints or concerns were made to the licensee, he has threatened people to picket and protest in front of their business and home. The Licensee at the committee, in a moment ranging on the bizarre, had one of the complainants followed by a private investigator, and had her car tires marked when she spent the night with her husband.

An examination of the prior history indicates we are delaying the inevitable, meanwhile putting the safety and economic prosperity of our city at risk. In the approximate 8 years since the Club has been in operation they have received suspension of 20 days, 45 days, and 60 days, along with warning letters for every renewal not given with a suspension.

Following please find additional testimony not reflected in the committee report:

1. Testimony and affidavits from City Residents and businesses who live in the immediate neighborhood such as:
 - a. Thomas Wilson III (Complainant) who testified he has been approached and harassed by patrons of the club standing in line to enter the club and whose concerns have only increased due to the escalated violent crime as a result of the operations of the club.
 - b. Lisa Farrell, General Manager of the Hilton Garden Inn, who stated her concerns of safety for her guests and employees of the hotel. Lisa testified as to the police tape surrounding the hotel during one of the shootings and blood on the sidewalk in front of hotel. Such photos were broadcast in the media, creating a negative blight on the hotel and in downtown Milwaukee. She testified as to the many complaints she has received as general manager from her guests and staff for loud noise, lewd acts and disorderly and indecent behavior by the club’s patrons in the alley way on their way or as they exit the club.
 - c. Kanitra Murphy, Night Auditor for Hilton Garden Inn, who testified for the noise complaints (verified by staff and reported to police) she has received from guests of the hotel. She testified at hearing that she continues to receive those complaints. She also testified as to the cruising of patrons of the club and to blocking of traffic resulting from such activities. Most critical in her testimony, was her own personal experience as a city resident and employee of the hotel. She testified as to her own

personal request to her employer to change her work hours because of her safety concerns surrounding the club's operations and escalated violent activities.

- d. Montrell Wilder and Donielle Berry, security for Hilton Garden Inn, testified to their observations of disorderly behavior, loud noise (verified and reported to police), traffic blockage (as a result of patrons of the club).
- e. Rachel Forman, Executive Director of the Grand Avenue Club, who testified her organization was founded in the early 1990s in that same location and gives their members who are experiencing of isolation and suffering of mental illness the opportunities of housing and access to education, and job opportunities. She testified as to the difficulty of convincing members to participate in their programs in the evenings because of the club's nuisance activities. As a result of the club's operations, the organization has not expanded its hours of operations. She also testified that her building (which is next door to the club) was subject to vandalism (broken window) as a result of patrons from the club. The club promised to compensate, but has yet to follow through with their promise.
- f. John Halverson, Operations Manager for the Grain Exchange, testified and also provided an affidavit attesting that he has witnessed public urination on their building during hours of operation, fighting, brawls and increased traffic related to the patrons of the club. The club's operations and nuisance activities and escalated violent crime related to the club, substantially interferes with their ability to operate their business and presents a danger to their guests and employees.
- g. Brian Ward, a resident in the immediate neighborhood of the club, testified and provided an affidavit attesting witnessing large disorderly crowds from the 618 club and most telling is having to be escorted past police lines because of shootings.
- h. Beth Weireck, Executive Directly of downtown business district, testified the downtown area near 618 Live was impacted negatively as a result of the escalated violent crime and

nuisance-related activities occurring in the immediate area of the club's operations.

2. Downtown Neighbors Association of Milwaukee Inc. passed a resolution that "as a result of continued and on-going nuisance activity resulting in the detriment to safety, enjoyment and prosperity the DNA MKE take a position strongly supporting revocation and nuisance injunction of 618 Live on Water and support any and all efforts to reach that goal." (Exhibit 7 of Sworn Charges Complaint)
3. Since the club's license renewal, and because of ongoing nuisance activities negatively affecting area businesses, the Business Improvement District 21 (BID 21) voted to support the license revocation of the 618 Club. (Page 6, Sworn Charges Complaint).

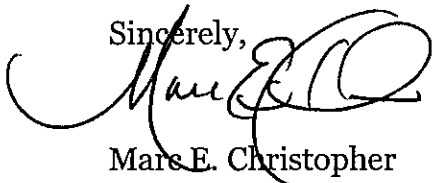
The above do not include the other affidavits by other city residents, business owners, and employees of the Hilton Hotel, included in the sworn charges complaint. Or the testimony of those other potential witness too scared to testify because of the fear of retribution.

At hearing, the past and present Captains of the Milwaukee Police Department support revocation of the club's license despite the cooperation of the licensee, and because the disorder continues and the crime has only escalated.

As Ms. Farrell and Mr. Wilson indicated in their complaint, Milwaukee City Ordinance 90-12 holds that revocation is appropriate when the premises is operated in such a manner that it constitutes a public or private nuisance or that conduct on the licensed premises, including but not limited to loud and raucous noise, has had a substantial adverse effect upon the health, safety or convenience and prosperity of the immediate neighborhood.

On behalf of Ms. Farrell and Mr. Wilson, the other city residents and businesses of the immediate neighborhood of where the club operates, those who have pled to the committee for relief and protection of their health, safety and welfare, we ask that revocation be supported by the entire Common Council. We believe the Council has sufficient evidence, including escalated crime occurrences as recent as this past summer, and more resident and business testimony supporting revocation since the club's last renewal hearing and warning letter in November 2012.

Sincerely,



Marc E. Christopher

Christopher Law Office