

LAW OFFICES OF
KOPP, ARENA & BISHOP, S.C.

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RIVERFRONT PLAZA, SUITE 515
MILWAUKEE, WISCONSIN 53203

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September 13, 2002

Mr. Ronald D. Leonhardt
City Clerk
room 205, City Hall
200 E. Wells Street
Milwaukee, WI 53202-3570

Dear Mr. Leonhardt:

Please be advised that I represent Linda Flynn, the owner of the building located at 1000 East North Avenue, which is in the Fifth District. My client has applied for a Show and Exhibit Permit for her business, Closet Classics Caffeine & Clothing.

My client operated a clothing store specializing in vintage clothing and shoes on Farwell Street for nearly twenty years. Recently, at the end of her lease, she was forced out of her location. It was determined by her at that time that it would be best for her to buy a building. Subsequently, she purchased the building at issue, which was previously a bar with a Class B liquor license.

Given the nature of the existing structure, my client decided to use the first floor bar area as a coffee shop. She purchased a \$10,000.00 coffee machine and invested in other equipment to open her coffee shop. She put most of her merchandise and display cases on the second floor. Currently, there is about \$80,000.00 in merchandise on this floor. The items sold range from jewelry, signs and posters to shoes and clothes. Vintage Clothing can be described as new clothes made from styles that were popular in the 40's, 50's, 60's and 70's.

To enhance awareness of her business, and to promote her coffee shop, Ms. Flynn has applied for the permit at issue. It is my client's intention to have poetry readings, open microphone sessions, and some music.

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As to the poetry readings, there will be times when my client may bring in published poems or may have patrons volunteer to perform their poems.

Concerning the open microphone sessions, my client intends to provide a forum free from alcohol and harassment where individuals may artistically express themselves. This may consist of solo singers, musicians, comedians, actors, or small troupes performing skits. There will be no nudity allowed, and things will only be allowed if they are in good taste; in other words, within the reasonable guidelines created by Community Standards.

My client may also have people playing recorded music. The type of music will be jazz and light contemporary music. There will be no rap or hard rock, as this would not be compatible with a coffee shop. Additionally, a Japanimation film club will use the location to exhibit Japanese films and animation. Other films may also be exhibited to show alternative art forms and allow for open and free discussion.

Enclosed is a recent article that appeared in the Riverwest paper and a letter of endorsement from Community Development Specialist Janice Christensen.

The reality in this case is that my client is a mature, middle-aged woman. She does not smoke or drink, and has earned a living selling clothes for nearly twenty years. She has made the investment of purchasing the building at issue, which says something about her past success. She has no intention of applying for a liquor license. Frankly, until my client came along the only use for the building would have been a tavern, but thanks to the creativity of my client a new use is being developed. This could be a model for others to follow in neighborhoods where old bars are no longer compatible with the neighborhood.

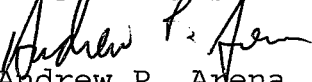
At this time I would like to direct you to 84.40 of the City Ordinances, and pursuant to that section, I hereby demand that the permit be issued by the City Clerk. My client has met all the requirements of the ordinance, and is entitled to a permit at this time. In fact, 84.405 states that the clerk shall issue the permit upon a request made by the proper application process as stated in Paragraph 84.40 4.A-C. The Common Council may revoke this permit if it finds that there is fraud, misrepresentation or that false statements have been made by the applicant in regards to the shows or exhibits which are presented at the location. The ordinance

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does not state that the location must be found to be fit or that the neighborhood must approve. Therefore, it is my opinion that there is no need for a hearing on this matter until an event is presented to the Council as being fraudulent pursuant to 84.40 6. Therefore, there is no reason that the permit should not be issued immediately.

If you have any questions, please contact me.

Very truly yours,


Andrew P. Arena
Encl.

APA/m

cc: Alderman Jeff Pawlinski, Chairman Utilities & Licenses
Alderman Marlene Johnson-Odom
Mr. James Copeland, Manager, License Division
Asst. City Attorney Bruce Schrimpf



YMCA CDC
Community
Development
Corporation
Riverwest Office



Community Organizing, Housing, and Economic Development

September 9, 2002

To: Utilities and License Committee
Milwaukee Common Council

From: Janice Christensen
Community Development Specialist
YMCA Community Development Corporation – Riverwest

Mr. Chairman and honored alderpersons, I would like to offer a brief testimony in support of awarding the business known as Closet Classics a Shows and Exhibition License.

Closet Classics is a coffee shop and vintage clothing store that recently moved into the building at 1000 E. North Ave. In the past, that building housed a tavern, under various ownership. As community organizer, a number of people have commented to me in the past several months that they are very happy that a new business is in that building, since they were uncomfortable with the noise and other problems that are often associated with living in proximity to a tavern.

Twice in the last year, Closet Classics has been written about in favorable terms in *Riverwest Currents*, the local community newspaper. *Riverwest Currents* has a policy of supporting neighborhood commerce, with the idea that small, locally-owned businesses increase trade and foot traffic in our community, which in turn add to wealth and reduce crime. Closet Classics is a prime example of this theory, since many people from the immediate neighborhood walk or ride their bicycles to the business.

I have had several occasions to visit Closet Classics, and know of several community groups that hold informal meetings there. I have had exclusively good experiences and good reports about this establishment. As the only smoke-free coffee shop in our neighborhood, it offers a unique setting that many value.

The proprietor of Closet Classics hopes to expand the shop's hours to midnight, three nights a week, and host a Japanimation film club, poetry readings, and evenings of music with a DJ. I would be in support of these activities, and have suggested this establishment to several groups of young people who are looking for an alcohol-free, smoke-free venue for various events.

Please grant Closet Classics a Shows and Exhibition License.

Respectfully submitted,

Janice Christensen
Community Development Specialist

Attachments: 2 articles from *Riverwest Currents*

Wood Commerce

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of reading. There are a lot of different things you can add to waxes—beeswax, dyes, crystals. Everything you add changes the way a candle will burn," Kotlowski said.

She stressed the difference in quality between a mass-produced candle and one of her own. "All you have to do is pick up one of my candles, and say, a Walmart candle, and you can just feel the difference. A lot of the factory-based candles do not burn consistently because the elements are not as well mixed." As Kotlowski explained, if the scent is not mixed evenly throughout the candle, the scent will not be emitted at a steady rate when the candle is burned.

To prevent this from happening, Kotlowski works with a smaller, more manageable supply of wax. She pours her candles eight at a time, and while this may be more time-consuming, she says the extra effort makes for more uniform candles.

Kotlowski caters to weddings, baptisms, bridal showers, home parties, and fundraisers. "The brides have a certain image of what they want for their weddings, and for baptisms I will often make candles in the shape of angels."

For home parties, Kotlowski fills up the back of her truck with displays of her products and sets up shop for the day in a resident's home.

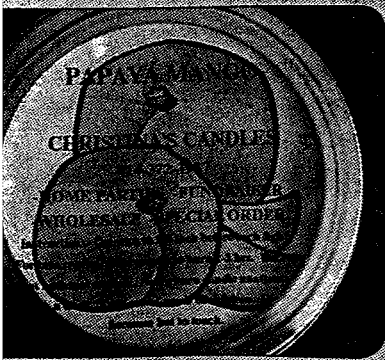
While Kotlowski does do fairs, like the Locust Street Festival and the Wisconsin State Fair, she said that summertime is a "bad time for candles." Last year at the Greendale Historical Days, she lost several hundred dollars worth of candles when the wax melted from the heat. But Kotlowski said she will be doing Locust Street Festival again next year. "I live in the area, and I like all the energy and the different types of music."

"My main focus is fundraisers," Kotlowski says. She recently became involved with the Title 4E Child Welfare Grant Program, a combined program with UWM and the Milwaukee Bureau of Child Welfare. Kotlowski provided her candles at wholesale to students at UWM, who in turn sold them to benefit children in foster care in Wisconsin. The first 4E fundraiser generated funds for a picnic and gifts for the children.

Kotlowski is quick to point out the personal benefits of candle-making. "It takes me someplace else. In my day-to-day life I work



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BUSINESS BRIEFS

Riverwest resident Kris Roberts is planning to open a new bar at 701 E. Center St., in what was until recently Tony's Bar. The new establishment, **The Riverhorse**, will offer alcoholic and other beverages, a variety of sandwiches, and pizza. Renovations are underway, and an art deco decorating theme is planned. The licensing process is proceeding with the city, with a tentative opening date in October. Kris made a presentation to the Riverwest Neighborhood Association at their July 16 meeting, outlining his plans and providing a list of near neighbors who support his proposal. Members of the RNA thanked Kris for going through the process, and a statement in the minutes noted that the group at the meeting "knows of no objection" to the plans.

There's a bit of froth and foment around **Closet Classics** at 1000 North Ave. lately. If you haven't visited this fun café plus vintage clothes plus cool handbags plus dishy palm garden no smoking hang-out, you're missing a cool spot in Riverwest.

Recently, the owner of Closet Classics was approached by a group that wants to meet in her shop and watch Japanimation films. If you know anything about the young, hip kids who are into anime, you know this is not a rowdy bunch who will leave the place at bar time, hooting and hollering and frightening the horses. However, the owner has been advised that this requires a "Shows and Exhibition" License from the City. She applied for the license, and post cards were sent out to near neighbors.

One of the neighbors took the post card, copied it onto a letter from Ald. Johnson-Odom on City of Milwaukee letterhead, and added a note at the bottom, pointing out that this permit allows "... side shows, wrestling shows, traveling caravans, vaudeville acts and any tamed animals, wild animals, menagerie or other objects of curiosity, all of which are operated or exhibited for a profit. This is an unlimited yearly permit with outdoor use requested. Potential uses: Non Alcoholic Strip Club, Teen club, DJ, or live bands indoors or out." (Just for the record, no events of these descriptions are planned for Closet Classics in the foreseeable future.) This flyer was distributed to residents in a three-block radius of the coffeeshop, with the suggestion to attend the hearing at city hall.

Why not stop in for a cup of coffee at Closet Classics and see what's really going on there? The Utilities and Licensing Committee hearing is coming up Sept. 9 at 9 a.m. at City Hall, Room 301 B.

Mad Bl... ..



www.milwaukee.gov

Office of the City Clerk

September 16, 2002

Ronald D. Leonhardt
City Clerk

Carolyn Hill Robertson
Deputy City Clerk

Mr. Grant F. Langley
City Attorney
Room 800, City Hall

Dear Mr. Langley:

Section 84-40, Milwaukee Code of Ordinances, provides for the issuance of a Show or Exhibit permit by the City Clerk. Subsection 5 provides that the city clerk issue a permit "if the requirements of this section have been complied with upon the payment of the required fee". Other than those for filing an application and the contents thereof, there are no other requirements set forth in the ordinance for the issuance of a permit. Nor are there any conditions under which the city clerk may deny issuance of a permit.

This office has a pending application for a Show or Exhibit permit. The local council member and residents from the neighborhood near the premises involved have expressed concern about or objections to the permit being issued. I am requesting your opinion as to whether this office may consider these concerns or objections in our decision as to whether to issue a permit. If not, do the residents and council member have any recourse by which to appeal our decision?

Furthermore, if the applicant specifies particular forms of entertainment that they intend to provide, may the permit be limited to those forms of entertainment only?

Since we have a pending application, your prompt review and determination on these issues would be most appreciated. Thank you for your assistance.

Respectfully,

Ronald D. Leonhardt
City Clerk

Cc: Ald. Marlene Johnson-Odom
Ald. Jeff Pawlinski
Jim Copeland
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