



IMPORTANT NOTICE: A \$25 FILING FEE MUST ACCOMPANY THIS APPEAL, WITHIN THE DEADLINE REFERENCED BY THE BILL.

Checks should be made payable to: City of Milwaukee and a copy of the bill should be included with your appeal

IMPORTANT NOTICE FOR CUSTOMERS PAYING BY CHECK

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account, or to process the payment as a check transaction.

IF THE CHARGES HAVE ALREADY APPEARED ON YOUR TAX BILL, THIS APPEAL CANNOT BE FILED

PLEASE READ CAREFULLY:

This Board may only determine if the City Department followed proper administrative procedures. It cannot hear appeals as to whether a Building Order is valid or not (those must be appealed to the Standards and Appeals Commission).

TO: Administrative Review Appeals Board
City Hall, Rm. 205
200 E. Wells St.
Milwaukee, WI 53202
(414) 286-2231

DATE: 11-19-2020

RE: 4323 N. 60th St. 53216
(Address of property in question)

Under ch. 68, Wis. Stats., s. 320.11 of the Milwaukee Code of Ordinances, this is a written petition for appeal and hearing.

I am appealing the administrative procedure followed by _____
(Name of City Department)

Amount of the charges \$ _____

Charge relative to: Gene's Supper Club

I feel the City's procedure was improper due to the following reasons and I have attached any supporting evidence, including city employee's names/dates which I spoke to regarding this issue and copies of any city orders received:

See attached letter to Commander Jeffery
Sunn of the Milwaukee Police Dept.

Signature

Patrick Brennan

Name (please print)

110 N. Old World 3rd St. (414) 763-4200
53203 Mailing address and zip code Ste. 200 Daytime phone numbers

pbrennan@BrennanLawLLC.com
E-Mail Address(es)

BRENNAN LAW OFFICES, L.L.C.

River Front Plaza

Suite 200

1110 North Old World Third Street

Milwaukee, WI 53203

Telephone (414) 763-4200

Fax (414) 231-9810

November 19, 2020

Administrative Review Appeals Board

City Hall – Room 205

200 E. Wells Street

Milwaukee, WI 53202

Via: Hand Delivery

Re: Gene's Supper Club

Dear Sir/Madam :

I am writing this letter on behalf of my client, *Gene's Supper Club*. By letter dated November 4, 2020, authored by District Commander Jeffrey Sunn, *Gene's Supper Club* was informed that the Milwaukee Police Department had determined it was a "nuisance", pursuant to Milwaukee City Ordinance § 80-10. That letter was received by the licensee, James Robinson, on November 9, 2020.

By means of this letter and its enclosures, on behalf of Gene's Supper Club, I am filing a *timely* formal appeal of the Department's nuisance determination. Along with this letter I have included a check in the amount of \$25, which I understand to be the applicable filing fee.

I will await notification from your office concerning future scheduling.

Very truly yours,

BRENNAN LAW OFFICES, L.L.C.

PATRICK CAVANAUGH BRENNAN, ESQ.

PCB:rjs

w/enclosures

c.c. James Robinson w/enclosures

BRENNAN LAW OFFICES, L.L.C.

River Front Plaza

Suite 200

1110 North Old World Third Street

Milwaukee, WI 53203

Telephone (414) 763-4200

Fax (414) 231-9810

November 19, 2020

Jeffery A. Sunn

District Commander Milwaukee Police Department

749 West State Street

Milwaukee, WI 53233

Re: Gene's Supper Club

Dear Mr. Sunn :

I am writing this letter on behalf of my client, *Gene's Supper Club*, in response to your November 4th, 2020 letter. That letter was sent to *Gene's Supper Club*, c/o the licensee, James Robinson. It was received by Mr. Robinson on November 9th, 2020. This letter and my client's nuisance determination appeal are thus timely, and will serve as *Gene's Supper Club's* and Mr. Robinson's formal response to your November 4th, 2020 letter.

In your letter, you make reference to three (3) incidents on the basis of which you classify *Gene's Supper Club* as a "nuisance", pursuant to Milwaukee City Ordinance §80 - 10. I will address each of those three incidents separately.

The first incident you refer to in your letter took place on February 1st, 2020 at approximately 2:35 a.m. At that time, a number of individuals were boarding a Reds Party Bus LLC bus which was parked on N. 60th St. facing south, just south of *Gene's Supper Club*. At that time, a car driving southbound on N. 60th St. drove past the bus and one of its occupants began discharging a firearm out of that vehicle's sunroof. One of the bullets fired by the assailant struck and killed a passenger on the bus.

During the entirety of the above-described events, *Gene's Supper Club* was closed, and had been closed for at least 15 minutes prior to these events taking place. Moreover, the *Gene's Supper Club* parking lot had already been cleared by this time

Gene's Supper Club fully cooperated with the police investigation of the shooting, including furnishing MPD with information downloaded from its ID scanner, which

information was used by MPD to identify and locate the shooter. In short, the February 1st, 2020 incident referenced in your letter did not take place on the premises of *Gene's Supper Club*, had nothing to do with *Gene's Supper Club* and/or anyone associated with it, and most certainly does not constitute "nuisance activity on its part, for purposes Milwaukee City Ordinance §80-10.

Along with this letter, I have enclosed a copy of a letter dated 11-18-20 authored by the owner of Red's Party Bus LLC. As that individual (William North) states in his letter: "Red's Party Bus and Gene's Supper Club had nothing to do with this incident. We were at the wrong place at the wrong time. Being in business since 2008 we never had any issues with this establishment."

The second incident you make reference to in your letter relates to events which took place on August 14th, 2020. On that occasion, a group of bikers, at least 10 in number, pulled onto the Gene's Supper Club parking lot and attempted to enter the establishment. Some of those individuals did not have appropriate identification, thus, per security protocols, weren't allowed entrance into the establishment. They all then departed the screening area peacefully and returned to their bikes. Less than ten (10) minutes later, individuals in the group started shooting at each other. None of them had been patrons of *Gene's Supper Club*.

In the aftermath of this event, Mr. Robinson reached out to the MPD Liaison Officer to discuss both that event and other concerns Mr. Robinson had concerning road construction-related issues he felt should be addressed for the sake of the establishment's residential neighbors. A copy of Mr. Robinson's August 28th, 2020 email to Officer Buchner is attached. He received no response to that email. Mr. Robinson resent that email to Officer Buchner on September 2nd, 2020. A copy of that email is also attached. Again, he received no response to it.

As was the case with the prior incident referenced in your letter, no disturbance took place inside of *Gene's Supper Club* that night, no *Gene's Supper Club* employees were involved in any form or manner of illicit or inappropriate behavior, and none of the individuals who were involved in the shooting ever were allowed to set foot in *Gene's Supper Club*.

The third and final incident to which you make reference took place on October 25th, 2020. On that occasion, *Gene's Supper Club* closed at approximately 2:10 a.m., and the parking lot was cleared by 2:20 a.m. At approximately 2:27 a.m., two individuals who were parked on 61st and Marion Streets were shot.

The following day, Monday, October 26th, Mr. Robinson attempted once again to contact the Liaison Officer. A copy the email he sent Officer Buchner that day is attached. Finally, on November 2nd, 2020, **2-plus months after** Mr. Robinson first reached out to him, he received a response from Officer Buchner.

That same day (November 2nd), Mr. Robinson downloaded a video of the parking lot camera images from October 25th, downloaded the information from the establishment's ID scanner from October 25th and turned all of that material over to officials at District 7. Significantly, nothing had occurred on the premises of *Gene's Supper Club* in the early morning hours of October 25th, 2020 such as would have given anyone notice of or reason to suspect the a shooting would subsequently take place down the block. As is the case with the other two incidents to which you make you make reference, the October 25th, 2020 incident does not constitute "nuisance activity" on the part of *Gene's Supper Club*, nor does it constitute a breach of Milwaukee City Ordinance §80-10 on my client's part.

Finally, in your letter you make reference to "nuisance abatement" measures which my client could undertake to ameliorate the supposed "nuisance" activities you claim have taken place there. I can advise that the security measures currently in place at *Gene's Supper Club* include all of the following.

On Mondays and Tuesdays there is one (1) security person posted at the entrance to the establishment; on Wednesdays and Sundays there is a security person posted at the front door, and one who circulates around the inside the bar/restaurant area; on Thursdays, Fridays and Saturdays there are seven (7) security personnel on premise, three (3) of whom are situated within the bar/restaurant area, two (2) of whom are situated outside of the front door, one (1) of whom is stationed at the front door to the establishment, and one (1) of whom is tasked with patrolling the parking lot and surrounding street. All theses security measures commence at 9:00 p.m. each day of operation.

The duties of the security personnel include using metal detectors (wands) to search each person to make sure he/she is not armed. When necessary, they also conduct pat down searches on would-be patrons.

IDs are checked for each person entering the establishment by means of ID scanners. The information generated by the ID scanners is stored for at least three (3) months, and information relating to each patron can be downloaded if needed. Paper IDs are held up to an outside camera because they are not able to be scanned by a scanner. There are sixteen (16) cameras on premise, six (6) outside which show 60th St. facing north, the

front door, and various angles of the entire parking lot. The camera system is running a live DVD system that is capable of retaining live running images for 30 days. These videos can be downloaded onto a flash drive.

At closing time, security escorts patrons out of the establishment, then directs traffic off the parking lot until the lot is clear. The parking lot at *Gene's Supper Club* has a 60 car capacity. Because of road construction-related concerns, however, Gene's has only been using only 40 of those spots. The entirety of the parking lot and the entire premises is well lit, a dress code is strictly enforced, loitering on the parking lot is never permitted, and traffic is controlled in the parking lot by security personnel who use columns as barriers. In addition, a security patrol car is deployed on Thursdays, Fridays, and Saturdays. In short, *Gene's Supper Club* already has a host of security measures in place to ensure that it never becomes anything even remotely akin to a "nuisance" premises.

I am today filing a timely appeal of the nuisance determination referenced in your November 4th, 2020 letter with the Administrative Review Appeals Board. Any further correspondence your department generates in regard to this matter should be directed to my attention.

Very truly yours,

BRENNAN LAW OFFICES, L.L.C.

PATRICK CAVANAUGH BRENNAN, ESQ.

PCB:rjs



11-18-2020

REDS PARTY BUS LLC

On Feb 1st 2:34am my driver was loading the bus parked on north 60th at the Milwaukee County Bus stop facing south on 60thst a car passing by heading south on 60th from Congress st started firing a gun in the air from the sunroof and struck one of my passengers from a bullet that entered from the street side. We were never parked in the Lot of Gene's supper club

Reds Party Bus and Gene's supper club

Had nothing to do with this incident

We were at the wrong place at the wrong time

Being in business since 2008 we never had any issues with this establishment.

414-477-0966
William North - owner
Reds Party Bus LLC
4913 N 105th St
Milwaukee WI 53225

From: James Robinson Genessupperclub@yahoo.com
Subject: Gene's Supper Club
Date: Aug 28, 2020 at 10:53:23 AM
To: Bbuchn@milwaukee.gov

Good morning officer Buchner, my name is James Robinson I'm the owner of Gene's Supper Club located at 4323 N 60th street. I'm contacting you because 60th street is under major construction and my patrons are parking in the neighborhood, now, instead of using 60th street which will be unavailable to park on until sometime November. I'm getting a lot of complaints from this. I've held a neighborhood meeting but only 3 people out of the 60 households that where notified attended. I was hoping you could help me set up a community meeting to give neighbors a chance to voice their concern and to give me a chance to properly address them. You can email me My email is genessupperclub@yahoo.com or you can call me my phone number is 414 628-5253. I look forward to speaking with you. Thanks in advance.

I Emailed

Did Not
Hear from
Liason officer

From: James Robinson Genessupperclub@yahoo.com
Subject: Gene's Supper Club
Date: Sep 2, 2020 at 11:19:51 AM
To: Bbuchn@milwaukee.gov

Good morning officer Buchner, my name is James Robinson I'm the owner of Gene's Supper Club located at 4323 N 60th street. I'm contacting you because 60th street is under major construction and my patrons are parking in the neighborhood, now, instead of using 60th street which will be unavailable to park on until sometime November. I'm getting a lot of complaints from this. I've held a neighborhood meeting but only 3 people out of the 60 households that where notified attended. I was hoping you could help me set up a community meeting to give neighbors a chance to voice their concern and to give me a chance to properly address them. You can email me My email is genessupperclub@yahoo.com or you can call me my phone number is 414 628-5253. I look forward to speaking with you. Thanks in advance.

I Emailed

Did not hear
from Ligson
Officer

From: James Robinson Genessupperclub@yahoo.com
Subject: Gene's Supper Club
Date: Oct 28, 2020 at 10:07:43 AM
To: Bbuchn@milwaukee.gov

Good morning officer Buchner, I'm James Robinson owner of Gene's Supper Club at 4323 N 60th. I've been trying to contact you. I stopped by the precinct on Monday October 26th the officer at the front desk gave me your card to call you and email you so I called you and left a message That day. Today I'm emailing you. Can you please contact me. You can email me at genessupperclub@yahoo.com or you can text or call me at [414-628-5253](tel:414-628-5253). Thank you.

Finally
I hear
from Liason
Office

Receipt of A.R.A.B. Appeal Fee

Date:	11/23/2020
Received Of:	Atty. Patrick Brennan
Property at:	4323 N. 60 th St.
Received By:	LME
Check # (If Applicable):	2718 \$25.00