

LEGISLATION, LICENSING & COMMUNICATIONS COMMITTEE

Thursday, April 10, 2003
Civic Center Auditorium

PRESENT: Alds. Treis, Sullivan, Bruderle-Baran, Ecks, Grimm, Subotich – 6

Ald. Treis as chair called the meeting to order at 7:00 p.m.

Public listening session to hear information relevant to the theater and arcade licenses held by AMC Entertainment, Inc., d/b/a Premium Theatre of Mayfair, Inc.

Ald. Treis began the meeting by announcing the guidelines by which he would conduct the meeting. The guidelines included the following:

- Sign-in sheets which will become part of the public record would be used.
- No special considerations would be given to the council members to speak. The purpose of the meeting was to give the public the opportunity to share their views.
- There would be a three minute time limit per speaker.
- Each individual would be permitted to speak only once.
- Questions from the public would be recorded by the clerk and answered at the next committee meeting on April 29, 2003
- No action would be taken by the committee at the meeting.
- Discussion would be limited to theater and arcade licenses held by AMC Theatres at Mayfair. (Mayfair Premium Cinemas, Inc.)

Ald. Treis then gave the public the opportunity to speak. Following is a summary of the views expressed.

Kevin McGrath, 2635 N. 66th Street, told the committee that he and his family use the theater and believe it to be a wonderful resource for the community. He asked the committee not to be swayed by the media and to keep the theater open.

John Albert, 1922 N. 122nd Street, told the committee he believes the theater to be a crown jewel of the community. He also said that he had spoken in favor of the theater when it was originally presented to the City Plan Commission. At that time Mr. Albert had supported the theater, but not the arcade. The original owners, General Cinemas, had represented that the theaters would cater to families offering food, valet parking and family friendly movies. After the theater opened things changed. The arcade area grew larger, the valet parking was discontinued and the movies became more violent. He said he hoped AMC Theatres would honor the original plan and urged the committee to attach these conditions to the renewal.

Jonathan Spruill, 4321 N. 17th Street, Milwaukee, told the committee that he is a teacher at Shalom High School for “at-risk kids” in Milwaukee. He brought four of his students with him to the meeting. The students attended because they were concerned about the problems at Mayfair and wanted to see how the process worked. Mr. Spruill asked the committee to include kids in any decision made about the theater and arcade licenses.

Atty. John D. Finerty, Freiberg, Finerty & St. John, S.C., representing AMC Entertainment spoke next. He told the committee that AMC Entertainment had only owned the theaters for approximately one year. He also said that AMC has worked with Mayfair Mall and city officials to respond to citizen’s concerns.

Philip Pennington, Senior Vice President, AMC Entertainment, Inc., briefly summarized the changes made at the theater. He mentioned increased security staff, staggered show times, enforcement of the Wauwatosa juvenile curfew, relocation of the arcade and remodeling of the front and rear of the theaters. He ended by saying that AMC Entertainment, Inc. is committed to working with the city and the mall to make improvements.

Mary Hoehne, 515 N. 112th Street, said that she believed the theater to be a good addition to the city and doesn't want to drive to Waukesha to see a movie. She suggested that the theaters show more movies of the type shown at the Downer Theater in Milwaukee. Ms Hoehne ended by saying movies at the Mayfair Theatre start too late and that the arcade should be closed.

Carla Marone, 7641 Livingston Avenue, told the committee that she is concerned with crime in the mall which she believes stems from the theater. She asked what more needs to happen before action is taken. She also believes there is an economic component. Ms Marone said she doesn't want the mall to "go under", as it would be a strain on taxpayers.

Mary Shinnars, 810 Chestnut Street, said she doesn't want to build a wall around Wauwatosa. She believes what happens outside of the theater isn't caused by the theater.

Deb Tritschler, 8330 Jackson Park Blvd., told committee that she and her family, which includes young children, use the theater. The mall is not a place to "hang out" and the theater should close at approximately the same time the mall closes. The city should be aware of the perception of crime the public has about the mall.

Garrett Reich, 2511 N. Pasadena Blvd., told the committee that one of the safest places in the City of Milwaukee is the area around the Bradley Center. The Bradley Center is policed as a separate and distinct venue. The theater should be policed as separate and distinct from the mall. He told the committee that safety at the theater has been addressed in a haphazard way and that AMC Entertainment has waited too long to act.

Neal Bardele, 2508 N. 88th Street, had concerns about the level of aggression authorities are taking in dealing with the problems. He said authorities must take serious measures. Posting the code of conduct is a nice gesture but does little to address problems. The need for a special meeting would suggest that, at the very least, there is an image problem at the mall. He asked that there be a more aggressive posture taken by authorities using a multi-level approach.

Joel Richmond, 7315 Portland Avenue, told the committee he was president of the Wellauer Heights Neighborhood Association. He said the problems at the theater are a big concern for all of Wauwatosa. He was disturbed that only three of the neighborhood associations had received notice of the meeting. Mr. Richmond asked the committee to become closely involved in the operations at the mall. He requested the committee put conditions on the license renewals such as a six month review.

Gene Kanning, 2835 N. 118th Street, asked the committee to hire a consulting firm to determine if the theater is responsible for crime in the neighboring community.

Michelle Mc Calligan, 8410 Stickney Avenue, said she was concerned that when police are called to Mayfair Mall they are not available to patrol neighborhood streets. Ms Mc Calligan also said she was tired of reading about crimes at the mall in the paper.

Scott Bachhuber, 2461 N. 88th Street, Apt. 204, asked the committee to consider how they would vote on the license renewal if the theater were a bar or restaurant having these kinds of problems. He also expressed concerns that the community isn't kept informed on actions taken at the mall.

Karen Tibbitts, Wauwatosa, is a retailer at the mall and commended the efforts of the police, mall and theater authorities in their response to problems.

Gordon Kenngott, 818 N. 73rd Street, said that Mayfair is a jewel. He thanked the committee for having the public listening session. Mr. Kenngott expressed concerns that any diminishment of mall revenue would cause taxpayers to suffer.

Angela Russell asked the committee not to single out people who don't live in the area when making rules. She had concerns for certain demographics and people who ride the bus. She suggested the theater stop showing movies that start late at night.

Brad Foley, 7439 Harwood Avenue, told the committee he was in attendance to show support for the mall. The mall is a great asset and one of the top five taxpayers in the city. He believes Mayfair Mall is the reason many young people want to move to Wauwatosa. Any problems at the theater should be prosecuted to the fullest extent of the law. Mr. Foley pointed out that if the theater was closed it would leave a huge empty space at the mall that would send a bad message.

Philip Kroner, 7817 Jackson Park Blvd., told the committee he has been going to movies at the theater since it was built and has never had a bad experience. He shared a story about how helpful the security staff had been when he recently took his two sons aged six and nine to a movie. He said Wauwatosa needs the theater for economic and social reasons.

Jynine Strand, 2414 Pasadena Blvd., said there has been a lack of aggressiveness in dealing with problems at the theater. She doesn't want stores to start leaving because of problems at the theater. Ms Strand said that she and her family have attended two movies at the mall. Patrons were, among other things, using foul language and talking back to security guards. Ms Strand said she no longer goes to the theater.

Ken Hemauer, 2469 Pasadena Blvd., told the committee that he had read the report prepared by the police department for the committee. Mr. Hemauer noted that between 1999 and 2002, police calls to the mall have increased 149%. Mr. Hemauer noted that 1999 coincides with the opening of the theater. He would prefer to see the theater closed or, at a minimum, the city stay on top of the problems.

Ald. Treis read a letter from Mayor Estness to the committee giving her reasons for not attending the meeting.

Jim de Guzman, 2430 N. 85th Street, thanked the committee for recognizing that there is a problem and providing the public forum. Mr. de Guzman said he has concern about the types of crimes being committed at the theater and mall. He also said the problems are spilling over into the community. He asked the committee to manage the theater problems proactively and the theater's licenses be reviewed and modified as needed.

John Worders, 7628 Livingston Avenue, said that the public listening session was an embarrassing waste of time. The theater should have been held responsible for the problems from the beginning.

Brenda Blaschke, 2502 Pasadena Blvd., told the committee she was against renewing the theater's licenses. She said there are crimes being committed in surrounding neighborhoods by non-residents who have been at the mall.

Terres Van Bibber, 2460 N. Pasadena Blvd., told the committee she and her family had moved to Wauwatosa from Chicago. They fell in love with the community. Her children are able to play night games with their friends. Ms Van Bibber is concerned with the types of crimes being committed in the neighborhoods. She also noted that while the police are responding to crimes at the theater they are not free to patrol the community.

Kevin Walker, 4203 W. Vliet Street, Milwaukee, told the committee that he is a movie critic. He said that too often moviegoers are not on their best behavior. He said that remodeling the stairways so that they exit directly into the parking lot is not a good idea. This arrangement would cause problems in the parking lot. He asked the committee to not renew the theater's licenses.

Pat Mundy, 2225 N. 103rd Street, told the committee that she doesn't go to movies but is in support of keeping the theater at the mall. She has concerns about the impact closing the theater would have on the tax base.

Carol Tadden, 3278 N. 105th Street, said that she doesn't attend movies that end after 7:00 p.m. because of the crimes that have occurred at the theater. Ms Tadden told the committee the main consideration should be safety at the theater.

Julius Bailey III pointed out that the current owners of the theater inherited the problems from the previous owners. The problems being experienced at the mall are a byproduct of growth. Mr. Bailey also pointed out that many malls in the area

have been closed so there are not many choices when people want to go a mall. He asked that the police and theater personnel work together so that everyone can feel safe at the mall.

Joanne Taylor, 2207 N. 66th Street, told the committee that she has a number of friends who live west of Wauwatosa. In the past, these friends have enjoyed going to the mall but no longer shop at Mayfair due to the crime. She also mentioned that she believes Wauwatosa has been slow to deal with the problems at the theater.

Michael Du Pree, 2750 N. 74th Street, told the committee he believes the increase in crime at the mall isn't related to the theater. The increase in crime is due to the number of new stores added to the mall recently.

Andrew Hillmer, 1348 N. 71st Street, told the committee he is a student at Wauwatosa East High School. He asked why the existing laws are only enforced when the problems get out of hand. He thinks that there are only a few people causing problems at the theater. Closing the theater would only show that Wauwatosa doesn't want to deal with the problem, and would be harmful to both the city and the county.

Kathryn Refsell, 10205 Beverly Place, told the committee that she would rather pay more taxes than keep the mall. She owns a business in Wauwatosa and wants her customers to be safe. Ms Refsell has concerns that property values will go down. She suggested the mall post "no loitering" signs.

Michael Smith, 6666 N. 90th Street, Milwaukee, told the committee that he has worked with young people for many years. Wauwatosa has good kids in the community. There are a few bad apples that have no purpose but to go out and cause chaos. He believes the mall, theater and police officials have taken positive steps in addressing the problems.

Paul Starich, 2244 N. 105th Street, told the committee that he would love to see the theater stay but he has some concerns. He said he went directly to the theater manager with his concerns about a recent incident, but the manager didn't want to hear what he had to say. The security staff is trying to control the problems but they have more than they can handle.

Christopher Seter, 9411 Ridge Blvd., asked for clarification of the mayor's letter. He also asked for clarification of the licenses held by the theater. Mr. Seter urged the committee to recommend a formal revocation hearing because a hearing will force the theater owners to address the problems.

Arlene Witherbee, 102nd Street, told the committee that she was at Mayfair Mall at 7:00 p.m. and was stopped by theater patrons from getting on the escalator. She took her concerns to Steve Smith, the mall manager, and General Growth, the mall owners but hasn't received a reply. She recommended a separate outside entrance to be used by theater patrons after 6:00 p.m.

Robert Kersting, Wauwatosa, attends Wauwatosa West High School and works at the mall. He told the committee that security in the mall may have been lacking in the past but has visibly increased lately. He also suggested a separate entrance for theater patrons. Mr. Kersting said it would be foolish to remove the theater because it's a cultural addition to the city.

Chris Wiesmueller, 3229 N. 90th Street, Milwaukee, told the committee that he grew up shopping at Mayfair Mall and considers it an important part of the community. He encouraged the committee to look at the actual occurrence of crime, not just the perception of crime. He also urged the committee to take a leadership role in regard to the mall. The committee should show that the mall is safe and they are not afraid to shop there or say that the mall is not safe and work diligently to improve it. Mr. Wiesmuller said there is currently a shadow hanging over the mall.

Jen Bachhuber, 2461 N. 88th Street, told the committee about the bad experiences she has had at the theater. Ms Bachhuber has attended movies after 7:00 p.m. and asked people to stop talking during the movie she has had vulgarities yelled back at her. She also mentioned she believes people are using the theater as a "baby-sitting service."

Kelly Hemauer, 2469 Pasadena Blvd., presented a petition with approximately 350 signatures to the committee requesting the committee not renew the theater's licenses.

Jan Winter, 2370 N. 89th Street, pointed out that Mr. Pennington from AMC has admitted there was a problem. Ms Winter also said that as far as safety at the mall is concerned, perception is the reality. She also urged the committee to require the theater to build a separate exit that goes directly out to the parking lot. Ms Winter said that not many movie goers are seen entering a movie with shopping bags.

Patricia De Lessio, 2331 N. 83rd Street, said that she feels as safe at the mall today as she did 15 years ago. All the problems can't be blamed on the theater. Ms De Lessio believes that if the theater is closed the committee will be blaming all the problems on the theater.

Dan Lenz, 2544 N. 81st Street, told the committee that he and his family have gone to the theaters approximately 6 times. Each time they had a horrible experience. The theater and mall personnel are doing a bad job dealing with the problem. He also said that the mall and theater personnel should be doing a better job with public relations making it clear that thugs aren't allowed in the theater or mall.

Peter Gaveras, 1244 N. 86th Street, said that citizens want a safe and enjoyable experience at the theater. He challenged the theater and mall management to "show us you are aware and are going to do something about" the problems. Mr. Gaveras said that he and other citizens have made calls and sent letters and e-mails, but the mall and theater officials have shown little concern about the problems.

Diane Benninger of Brookfield, told the committee that she goes to the mall quite a bit. Ms Benninger related an incident that she experienced. Ms Benninger parked in the west parking lot in the evening. She said there were so many kids milling around that she was afraid to get out of her car. When she entered the mall, she witnessed a fight between two kids. A security guard called the police but by the time the police arrived things had escalated, the security guard was knocked down and a large crowd had gathered. The fight was broken up, but all the kids ended up back in the parking lot. Ms Benninger doesn't believe this is the fault of the theater. She believes the problem is the mall. Ms Benninger also said that when the stores are closed, the mall shouldn't be open to theater patrons.

Jim Melchior, 2504 N. 84th Street, said that years ago when there was a separate theater in the parking lot the mall didn't experience these kinds of problems. He said separate entrances would be the way to go. The last couple of years going to the theater has become kind of eerie and impersonal. There are no attendants present when a patron acts up during a movie. There are no ushers in the corridors and the theaters are so understaffed they act as if it's a bother to address the problems. Mr. Melchior would like more security at the theaters.

Ms Blaschke requested to speak again. She told the committee that when she spoke with Steve Smith, the mall manager, she didn't feel as if he was addressing her concerns. Ms Blaschke would like the last movie to start at 5:00 p.m. and the mall cleared of all traffic when the stores close.

The meeting adjourned at 8:51 p.m.

Carla A. Ledesma, CMC
City Clerk

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