

Unstoppable

Like that mechanical rabbit, Lanny Swerdlow just keeps going and going—and the city can take a hike

by Inga Sorensen

The descriptive "tenacious" doesn't seem to do Lanny Swerdlow justice. "We are opening tonight, no matter what," Swerdlow told *Just Out* on the morning of Jan. 31.

Followers of the seemingly endless saga involving Swerdlow's City Nightclub will grasp the significance of that date: Under terms of a stipulated agreement reached this fall with the City of Portland, Swerdlow was to have found a qualified buyer by Jan. 30 to take over ownership of the business, which he has owned and operated since 1983.

If he failed to meet that deadline, The City Nightclub, an alcohol-free Portland dance club predominantly serving sexual minority youth in their teens and early 20s, was to permanently close.

Though there were reportedly several prospective buyers, a deal was not reached on time and The City Nightclub shut down. Swerdlow, however, immediately leased a space at 333 SW Park St. in Portland and opened a new, as yet unnamed, club.

Swerdlow, who describes the enterprise as a "work in progress," stresses that the business is also geared toward sexual minority youth.

"The major difference is the new place has a different layout. It's more of a big open room. I'd also like to have a full-service restaurant here," says Swerdlow, who had spent the last several days transporting the innards of The City Nightclub, which was located at Northwest 13th Avenue just off Burnside, over to the new site.

The move is the ultimate outcome of a several-month battle between the city and Swerdlow. The settlement agreement was prompted by a civil suit filed in December 1995 by Nancy E. Ayres,

senior deputy city attorney, against the building's owners, ADS Investment Limited Partnership, which is controlled by the Schnitzer family.

The suit maintained the club violated the city's Specified Crime Property Ordinance, which bars the use of a building for the distribution of a controlled substance.

The settlement was reached on Oct. 28, just a week before a scheduled trial date.

"I think the most important thing people should know is that Lanny Swerdlow, in this agreement, admitted he was in violation of the ordinance," Ayres told *Just Out* in November.

Ayres, who declined to comment for this story, wrote many of the operating conditions listed in the settlement. Those stipulations included a green light for the Portland Police Bureau to conduct background checks on—as well as the right to approve or deny the sale to—potential buyers.

According to Swerdlow, several prospective parties expressed interest in purchasing the club, which he says he adamantly wanted to remain a queer youth hangout.

Swerdlow says a handful of applicants, including a few gay and lesbian candidates, received clearance from the bureau. The list of approved applicants was then passed on to the landlords for consideration.

"It came down to three gay parties who wanted to buy the club and two straight parties," says Swerdlow, adding he opted for gay ownership. "The Schnitzers eliminated the three gay parties,

proving to me that what they wanted to do all along was get rid of The City Nightclub because of its clientele."

Gregory Baum, a Portland attorney representing Schnitzer interests, says he finds that claim "totally offensive."

"It didn't matter what the age, race or sexual orientation of the buyer was," says Baum. "We were concerned with the candidates' business background and experience and whether they could operate a business so the landlords wouldn't get into another quagmire with the city. We didn't have a clue—and didn't care—what anyone's sexual orientation was."

Baum further says of the landlords, Arlene, Harold and Jordan Schnitzer: "Anyone who knows them knows there is not a discriminatory bone in their bodies."

He adds that the landlords fully expected any new owner to continue operating a club specifically for sexual minority youth "except without the legal problems."

(One group of prospective buyers—who fell into Swerdlow's "straight" column—were associates of Janus Youth Programs, which provides social services to queer youth, among others.)



Lanny Swerdlow (center) and crew

Another applicant who passed a police check was Debbie Counts, 31, a longtime lesbian and gay rights advocate. Counts worked several years with Pride Northwest, which organizes Portland's annual Pride Celebration. She is also a major booster of the idea of a gay and lesbian community center, and was Swerdlow's top choice to become the new owner.

"She was not offering the most money for the club," says Swerdlow, "but I know that she is really committed to the community and these young people, and that's what made the difference for me."

Counts says she and a friend, Anthony DePrada, sought to jointly purchase The City Nightclub, a site Counts had frequented during the past year in an effort to show support for sexual minority young people.

Counts, who works for an insurance company, says ADS ultimately rejected her application because she "had no experience as a club owner."

"I'm very disappointed," she says, adding she is "not yet ready to cry homophobia."

Swerdlow, meanwhile, says he simply decided to shut the club down and open another.

Though Swerdlow has just closed one chapter of his life, the trouble may not be over.

No matter. When asked what he believes city officials' response to his latest endeavor will be, Swerdlow answers with gusto: "I think they'll go ballistic, but I don't care about them, I care about the kids."

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