



OFFICE OF THE CLERK/TREASURER

City of Burlington

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MINUTES

LOCAL CONTROL SUB-COMMITTEE

WEDNESDAY, JUNE 23, 2010

CONFERENCE ROOM 12, CITY HALL

5:00 P.M.

Present for the committee: Commissioners Emma Mulvaney-Stanak and David Berezniak, Chairman Vince Dober; Assistant City Attorney, Nikki Fuller; Clerk/Treasurer's Office Lori Olberg and Jessica Frank.

The meeting was called to order by Chairman Dober at 5:02p.m.

1. **AGENDA:**

A motion was made by Commissioner Berezniak, seconded by Commissioner Mulvaney-Stanak to change item #4 to First Class Restaurant Liquor License Application and to add item 4.01 Outside Consumption Permit Application. Passed 3-0.

2. **CONSENT AGENDA:**

2.01. Communication: Lori Olberg, Licensing, Voting and Records Coordinator, re: Request for Catering Log

2.02. Communication: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Violation of General Regulation Number 22, Administrative Penalty Fee of \$200 paid, Drink Lounge, April 20, 2010

2.03. Communication: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: Violation of General Regulation Number 22, Administrative Penalty Fee of \$200 paid, Halvorson's Upstreet Café, April 20, 2010

2.04. Communication: William J. Goggins, Director, Education, Licensing & Enforcement, State of Vermont, Department of Liquor Control, re: Rescinding of Administrative Notice Ticket No. 1086 for violation of General Regulation Number 22 issued on April 20, 2010, Saigon Bistro

2.05. Communication: William J. Goggins, Director, Education, Licensing & Enforcement Division, State of Vermont, Department of Liquor Control, re: Esox Settlement Agreement: 8 (eight) day suspension—effective the close of business Monday, July 19, 2010 until the opening of business on Wednesday, July 28, 2010

2.06. Communication: Jessica Frank, Executive Secretary, re: DRAFT Minutes, Rasputin's Hearing, May 18, 2010

2.07. Communication: Jessica Frank, Executive Secretary, re: DRAFT Minutes, Local Control Sub-committee/City Council License Committee for June 2, 2010

2.08. Communication: Jessica Frank, Executive Secretary, re: DRAFT Minutes, Local Control Sub-committee/City Council License Committee for June 9, 2010

A motion was made by Commissioner Mulvaney-Stanak, seconded by Commissioner Berezniak to waive the readings, accept the communications and place them on file. Attorney Fuller noted 2.02—2.04 had to do mainly with changes to the license. Passed 3-0.

3. **SECOND CLASS STORE LIQUOR LICENSE APPLICATION (2010-2011):**
Advance Music Center, Inc., 75 Maple Street
A motion was made by Commissioner Berezniak, seconded by Commissioner Mulvaney-Stanak to open the item for discussion. Mike Trombley from Advance Music Center was present on behalf of the establishment and noted that he would like to be able to sell bottles of wine to patrons. The motion was then amended by Commissioner Berezniak, seconded by Commissioner Mulvaney-Stanak to table the item until the next meeting. Passed 3-0.
4. **FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (2010-2011):**
Smitty's Pub, also known as Norm's Grill
A motion was made by Commissioner Mulvaney-Stanak, seconded by Commissioner Berezniak to open the item for discussion. Ed Smith was present on behalf of the establishment and noted that he would like to take over ownership of Norm's Grill with no changes. Attorney Fuller noted that they would need to announce if they would be a corporation or LLC. Jeff Wick, Mr. Smith's attorney, noted that they would establish that before the next license meeting. The motion was then amended by Commissioner Berezniak, seconded by Commissioner Mulvaney-Stanak to table the item until the next meeting. Passed 3-0.
- 4.01 **OUTSIDE CONSUMPTION PERMIT APPLICATION (2010-2011):**
Smitty's Pub, also known as Norm's Grill
A motion was made by Commissioner Mulvaney-Stanak, seconded by Commissioner Berezniak to open the item for discussion. Ed Smith was present on behalf of the establishment. It was noted that they would need to take a look at the wood deck that is currently in one of the parking spaces. The motion was then amended by Commissioner Berezniak, seconded by Commissioner Mulvaney-Stanak to table the item until the next meeting. Passed 3-0.
5. **OTHER BUSINESS:**
None
6. **ADJOURNMENT:**
A motion was made by Commissioner Mulvaney-Stanak, seconded by Commissioner Berezniak to adjourn the meeting at 5:28p.m. Passed 3-0.

CITY COUNCIL LICENSE COMMITTEE
WEDNESDAY, JUNE 23, 2010

1. **AGENDA:**
A motion was made by Commissioner Berezniak, seconded by Commissioner Mulvaney-Stanak to approve the agenda. Passed 3-0.
2. **CONSENT AGENDA:**
2.01. Communication: Thomas A. Middleton, Assistant Fire Marshal, re: Radio Bean Blocked Egress, Other Place overcrowding
Attorney Fuller reminded the committee that they have addressed Radio Bean before about overcrowding and that this may be their 3rd offense in the past year or so. Commissioner Mulvaney-Stanak noted that she would like a fully history on Radio Bean and their past offenses. Chairman Dober made a motion, seconded by Commissioner Berezniak to refer the overcrowding incident for prosecution to Attorney Gene Bergman. Passed 3-0.

3. **INDOOR ENTERTAINMENT PERMIT APPLICATION (2010-2011):**

One Pepper Grill, 260 North Street

A motion was made by Commissioner Berezniak, seconded by Commissioner Mulvaney-Stanak to approve the application. George Saltis was present on behalf of the establishment and wanted the ability to create a lounge type feel and be able to play amplified music at a reasonable level not to disturb his neighbors. It was noted that he may want to notify his neighbors of the application. Passed 3-0.

4. **DISCUSSION:**

Limit of Street Musicians

The item was discussed; there are 12 spots for street musicians, which are currently all full. It was decided that the committee would like to see what system the marketplace has in order to make any decision on the system.

5. **OTHER BUSINESS:**

It was reminded that there would be a Taxi Appeals Hearing on June 30th in Contois.

6. **ADJOURNMENT:**

A motion was made by Commissioner Mulvaney-Stanak, seconded by Commissioner Berezniak to adjourn the meeting at 6:15p.m. Passed 3-0.