



OFFICE OF THE CLERK/TREASURER

City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000

Fax (802) 865-7014

TTY (802) 865-7142

MINUTES

LOCAL CONTROL SUB-COMMITTEE

WEDNESDAY, JULY 7, 2010

CONFERENCE ROOM 12, CITY HALL

5:02P.M.

Present: Chairman Vince Dober, Commissioner Emma Mulvaney-Stanak; Assistant City Attorney, Nikki Fuller; Clerk/Treasurer's Office, Lori Olberg and Jessica Frank

Absent: Commissioner David Berezniak

1. AGENDA

A motion was made by Commissioner Mulvaney-Stanak, seconded by Chairman Dober the agenda was amended as follows: add to the agenda item 5.5. EXPANSION OF OUTSIDE CONSUMPTION PERMIT (**one day only**): VFW, 176 South Winooski Avenue, Sunday, August 8, 2010, 10:00 a.m. – 6:00 p.m. Remove from the agenda item 6. DISCUSSION: Das Bierhaus and place it on the July 21, 2010 Local Control Sub-committee Agenda. It was to be noted from Attorney Fuller that the action plan from Das Bierhaus would not be included in the record. Passed 2-0.

2. CONSENT AGENDA

A motion was made by Commissioner Mulvaney-Stanak, seconded by Chairman Dober the consent agenda was adopted thus taking the following actions as indicated:

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

2.02. Communication: Jessica Frank, Executive Secretary, re: Local Control Sub-committee/City Council License Committee Minutes for June 23, 2010 **DRAFT**

2.03. Communication: William J. Goggins, Director, Education, Licensing & Enforcement Divisions, State of Vermont, Department of Liquor Control, re: General Regulation Number 22 Violation, Samuel de Champlain Club, January 20, 2010

Waive the readings, accept the communications and place them on file. Passed 2-0.

3. FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (2010-2011):

Shedsu, Inc., d/b/a Smitty's Pub, 1127 North Avenue

A motion was made by Commissioner Mulvaney-Stanak, seconded by Chairman Dober to approve the application. Susan Suitor was present on behalf of the establishment as well as their attorney Jeff Wick. It was to be noted that they were applying for a restaurant license not a cabaret and their current sales were 30% alcohol and 70% food. It was approved with the condition that the lease and permits were sorted out before they open. Passed 2-0.

3.01. **OUTSIDE CONSUMPTION PERMIT APPLICATION (2010-2011):**

Shedsu, Inc., d/b/a Smitty's Pub, 1127 North Avenue

A motion was made by Commissioner Mulvaney-Stanak, seconded by Chairman Dober to approve the application. Susan Suitor was present on behalf of the establishment as well as their attorney Jeff Wick. It was approved with the condition that they notify the landlord and fire marshal of the parking space they occupy for outside seating. Passed 2-0.

4. **SECOND CLASS STORE LIQUOR LICENSE APPLICATION (2010-2011):**

Advance Music Center, Inc., 75 Maple Street

A motion was made by Commissioner Mulvaney-Stanak, seconded by Chairman Dober to approve the application. Mike Trombley was present on behalf of the establishment. Mr. Trombley again explained that he would like the ability to sell bottles of wine and noted that at this time he would not be doing wine tastings, but if he ever did it would be 1 or 2 a year and he did just attending the DLC training. The hours were changed from Sunday 12pm-5pm, Saturday 10am-5pm, and Monday-Friday 12pm-8pm. Passed 2-0.

5. **SECOND CLASS STORE LIQUOR LICENSE APPLICATION (2010-2011):**

Finelli, LLC, d/b/a Finelli's Deli and Quick Stop (formerly Jiffy Mart), 500 Riverside Avenue

A motion was made by Commissioner Mulvaney-Stanak, seconded by Chairman Dober to approve the application. Bradley Finelli was present on behalf of the establishment. The committee decided to approve the application on their first meeting because the committee would be meeting again until July 21st and would not get council approval until August 9th. It was approved with all standard conditions and that Mr. Finelli provides his DCL training certificate. Passed 2-0.

5.5. **EXPANSION OF CONSUMPTION PERMIT (one day only): VFW, Sunday, 8/8, 10 a.m. – 6 p.m.**

A motion was made by Commissioner Mulvaney-Stanak, seconded by Chairman Dober to approve the application. Bob Colby was present on behalf of the establishment and noted that they would be having the event in the parking lot in the back of the building. Passed 2-0.

7. **OTHER BUSINESS:**

None

8. **ADJOURNMENT**

A motion was made by Commissioners Mulvaney-Stanak, seconded by Chairman Dober to adjourn the Local Control Sub-committee at 5:38p.m. Passed 2-0.

CITY COUNCIL LICENSE COMMITTEE

WEDNESDAY, JULY 7, 2010

5:38P.M.

Present: Chairman Vince Dober, Commissioner Emma Mulvaney-Stanak; Assistant City Attorney, Nikki Fuller; Clerk/Treasurer's Office, Lori Olberg and Jessica Frank

Absent: Commissioner David Berezniak

1. **AGENDA**

A motion was made by Commissioner Mulvaney-Stanak, seconded by Chairman Dober to adopt the agenda as is. Passed 2-0.

2. **CONSENT AGENDA**

A motion was made by Commissioner Mulvaney-Stanak, seconded by Chairman Dober to adopt the consent the consent agenda thus taking the following actions as indicated:

2.01. Communication: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: General Regulation Number 37(a) Violation, Esox, June 28, 2010

2.02. Communication: William J. Goggins, Chief, Education, Licensing & Enforcement, State of Vermont, Department of Liquor Control, re: Underage Sale of Tobacco Products, June 1, 2010, Hannaford Food & Drug (**2nd violation**)

2.03. Communication: William J. Goggins, Chief, Education, Licensing & Enforcement, State of Vermont, Department of Liquor Control, re: Underage Sale Of Tobacco Products, June 1, 2010, Rite Aid Pharmacy #4272 (**1st violation**), Mandatory DLC training for the licensee is required within sixty (60) days

2.04. Communication: William J. Goggins, Chief, Education, Licensing & Enforcement, State of Vermont, Department of Liquor Control, re: Underage Sale of Tobacco Products, June 1, 2010, Waggy's Store & Deli (**2nd violation**), \$100 Administrative Penalty Fee Paid

2.05. Communication: Renee Warren, Administrative Secretary, Department of Liquor Control, Education, Licensing & Enforcement Division, re: General Regulation Number 34, June 22, 2010, Radio Bean Coffeehouse

To waive the readings, accept the communications and place them on file. Passed 2-0.

3. **TOBACCO LICENSE APPLICATION (2010-2011):**

Finelli, LLC, d/b/a Finelli's Deli and Quick Stop (formerly Jiffy Mart), 500 Riverside Avenue

A motion was made by Commissioner Mulvaney-Stanak, seconded by Chairman Dober to approve the application. Passed 2-0.

4. **OTHER BUSINESS:**

None

5. **ADJOURNMENT:**

A motion was made by Commissioners Mulvaney-Stanak, seconded by Chairman Dober to adjourn the City Council License Committee at 5:45p.m. Passed 2-0.