



OFFICE OF THE CLERK/TREASURER

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LOCAL CONTROL SUB-COMMITTEE

WEDNESDAY, SEPTEMBER 22, 2010

CONFERENCE ROOM 12, CITY HALL

5:00 P.M.

Present: Chairman Vincent Dober, Commissioners David Berezniak and Emma Mulvaney-Stanak, Clerk/Treasurer's Office, Lori Olberg; City Attorney's Office, Attorney Nikki Fuller; Police Department, Lt. Cyr.

Absent: none

The meeting was called to order by Commissioner Dober at 5:00 p.m.

1. AGENDA

A motion was made by Commissioner Berezniak to accept the agenda and seconded by Commissioner Mulvaney-Stanak.

Passed: 3-0

2. CONSENT AGENDA

A motion was made by Commissioner Mulvaney-Stanak, seconded by Commissioner Berezniak, to accept the consent agenda to waive the readings, accept the communications and place them on file.

Passed: 3-0

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

*waive the reading, accept the communication and place it on file

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

JRS Corp., d/b/a Akes' Place, 134 Church Street

A motion was made by Commissioner Berezniak, seconded by Commissioner Mulvaney-Stanak to accept the Cabaret Liquor License Application pending Fire Marshal approval.

Open for discussion: Lease has been submitted to Lori and should be signed by October 5, 2010. Hand written menu has been submitted to Lori. Formal menu will be submitted at a later date.

Passed: 3-0

3.01. OUTSIDE CONSUMPTION PERMIT RENEWAL (2010-2011):

JRS Corp., d/b/a Akes' Place, 134 Church Street

A motion was made by Commissioner Berezniak, seconded by Commissioner Mulvaney-Stanak, to approve the outside consumption permit renewal pending Fire Marshal approval.

Passed: 3-0

4. **FIRST CLASS RESTAURANT LIQUOR LICENSE RENEWALS (2010-2011):**

Manhattan Pizza

Souza* (no one made appearance)

A motion was made by Commissioner Berezniak, seconded by Commissioner Mulvaney-Stanak, to accept the first class restaurant liquor license renewal for Manhattan Pizza pending conditions.

Open for discussion: A condition was brought up that Manhattan Pizza provide access as needed to facilitate a full and proper cleaning hood system. Also, smoke detectors were brought up by Attorney Fuller. Why is the smoke detector unplugged? Issues need to be resolved as this has come up a few times. A solution was brought up that a cage be built around the smoke detector so that this does not get unplugged. Commissioner Dober asked that this be resolved by November 1, 2010 to clear the record.

Passed: 3-0

5. **OUTSIDE CONSUMPTION PERMIT RENEWAL (2010-2011):**

Manhattan Pizza

A motion was made by Commissioner Mulvaney-Stanak, seconded by Commissioner Berezniak to approve Outside consumption permit renewal.

Open for discussion: The hours of outside consumption was discussed. The application will be changed from 1:00 a.m. to 11:00 p.m.

Passed: 3-0

6. **OTHER BUSINESS** – Motion was made by Commissioner Mulvaney-Stanak, seconded by Commissioner Berezniak to table the Souza first class restaurant liquor license renewal until 9/29/2010.

7. **ADJOURNMENT** – A motion was made by Commissioner Mulvaney-Stanak, seconded by Commissioner Berezniak to adjourn the meeting at 5:30 p.m.

CITY COUNCIL LICENSE COMMITTEE
WEDNESDAY, SEPTEMBER 22, 2010

Present: Chair Vincent Dober, Commissioners David Berezniak and Emma Mulvaney-Stanak, Clerk/Treasurer's Office, Lori Olberg; City Attorney's Office, Attorney Nikki Fuller; Police Department, Lt. Cyr.; Fire Department, Fire Marshal Terence Francis

The meeting was called to order by Councilor Vincent Dober at 5:30 p.m.

1. **AGENDA**

A motion was made by Councilor Mulvaney-Stanak, seconded by Councilor Berezniak to approve the agenda as written.

Passed: 3-0

2. **CONSENT AGENDA**

A motion was made by Councilor Berezniak, seconded by Councilor Mulvaney-Stanak to accept the agenda, waive the readings, accept the communications and place them on file.

Passed: 3-0

2.01. **COMMUNICATION:** William J. Goggins, Director, Education, Licensing & Enforcement Division, State of Vermont, Department of Liquor Control, re: Notice of Hearing, Thursday, October 7, 2010, at 9:30 a.m., Waggy's Store and Deli, Tobacco License

*waive the reading, accept the communication and place it on file

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

JRS Corp., d/b/a Akes' Place, 134 Church Street

A motion was made by Councilor Mulvaney-Stanak, seconded by Councilor Berezniak to approve the application for indoor entertainment permit application for Akes' Place.

Open for Discussion: Councilor Dober spoke about the hours of 2:00 a.m. indoor entertainment and talked about the concerns with the apartment above and to keep windows closed.

Passed: 3-0

4. **INDOOR ENTERTAINMENT PERMIT RENEWAL (2010-2011):**

Manhattan Pizza

A motion was made by Councilor Berezniak, seconded by Councilor Mulvaney-Stanak to accept the indoor entertainment permit renewal.

Open for Discussion: Councilor Dober asked if the hours will change? Regarding entertainment hours, the hours currently are Wednesday through Saturday 9:30 p.m. until 1:00 a.m. with Sunday through Tuesday 9:30 p.m. until 12:00 p.m. Councilor Mulvaney-Stanak has asked to scale back the hour on Wednesday to midnight. Councilor Dober recommendation is to leave the time as is. Councilor Berezniak would like to see the time scaled back to 12:00 a.m. Recommendation is made to have the time amended to 9:30 p.m. until 12:30 a.m. Thursday through Saturday from 9:30 p.m. until 1:00 a.m.

Passed: 3-0

5. **LICENSE AGREEMENTS: Courtyard Burlington Harbor, CCTA, ICV, Sam's Unfinished Furniture**
Attorney Fuller spoke regarding the following issues:

- Courtyard Burlington Harbor - wants to add a bike rack on Cherry Street (will hold 8 bikes) and has been approved DPW
- CCTA – adding two additional bus shelters – these shelters will also have bike racks - one at the Shaw's side and one on the P&C's side on Shelburne Road.
- ICV also known as JAMorrissey – is requesting a temporary structure barrier at King and Battery Street – one condition; make sure we get the check for this work...we received paperwork, but not a check
- Sam's Unfinished Furniture – wants to place chairs and benches outside in front of their window

Councilor Berezniak made a motion, seconded by Councilor Mulvaney-Stanak to recommend for approval license agreements for the above businesses.

Passed: 3-0

6. **OTHER BUSINESS – Lt. Cyr gave an update on the Under 21 Permit process**

7. **ADJOURNMENT - A motion was made by Councilor Mulvaney-Stanak, seconded by Councilor Berezniak to adjourn the meeting at 6:00 p.m.**