



OFFICE OF THE CLERK/TREASURER

City of Burlington

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MINUTES

LOCAL CONTROL SUB-COMMITTEE

WEDNESDAY, NOVEMBER 10, 2010

CONFERENCE ROOM 12, CITY HALL

5:00 P.M.

Present: Councilor Vincent Dober; Nikki Fuller, City Attorney's Office; Clerk/Treasurer's office, Lori Olberg and Carole Bourneuf; by cell phone Councilor Emma Mulvaney-Stanak

Commissioner Vincent Dober called the meeting to order at 5:07p.m.

1. AGENDA

A motion was made by Councilor Emma Mulvaney-Stanak to approve the agenda and seconded by Councilor Vincent Dober.

2. CONSENT AGENDA

Councilor Stanak made a motion to approve the Consent Agenda, waive the reading and place it on file. Councilor Dober seconded the motion.

3. MOTION TO CONTINUE: LSP, Inc., d/b/a Lift, 165 Church Street

3.01. COMMUNICATION: Nikki A. Fuller, Esq., Assistant City Attorney, Counsel to Subcommittee, re: Lift Hearing – Motion to Continue

Attorney Fuller requests Motion to Continue as Officer Wright is out of town and not available. Officer is pivotal to the case and had to leave town on a family emergency in Iowa. Dan Hamlin (Lift) is also having surgery and will be laid up for up to 6-8 weeks. Dan will have 3 employees testify on behalf of the club. These employees are not students so they should be available to testify when scheduled.

Motion was granted to continue. Sometime after mid-December into January 2011. Councilor Dober granted the motion to continue beyond December 15 possibly into January. Councilor Stanak seconded the motion.

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

Sansai, Inc., d/b/a Sansai Japanese Restaurant (formerly Taste of Burlington), 112 Lake Street*

Councilor Dober made a motion to move both items of First Class Restaurant Liquor License Application and the Outside Consumption Permit Application. Councilor Stanak approved the motion of both items and Councilor Dober seconded the motion.

Open for discussion: Owner Christopher Russo presented lots of items to Lori which was on Councilor Dober's list. Provided Floor plan and provided a menu for outside consumption. On Outside Consumption on Lake Street – outside patio. Lots of complaints regarding outside consumption. Hours were discussed and regarding beginning 8:00 a.m. until 12a.m. closing. Lori suggested tailoring the 8:00

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a.m. start time.

Personal Property taxes were discussed and what action Mr. Russo would take. Mr. Rosso was not aware of any tax problems. Lori will discuss with Mr. Russo at a later time.

Councilor Dober made a motion to postpone action until next meeting and Councilor Stanak seconded the meeting.

4.01. OUTSIDE CONSUMPTION PERMIT APPLICATION (2010-2011):

Sansai, Inc., d/b/a Sansai Japanese Restaurant, 112 Lake Street*

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

Remy Cooper, LLC, d/b/a ½ Lounge, 136 ½ Church Street*

Councilor Dober made a motion to approve both First Class Cabaret Liquor License Application along with the Outside Consumption Permit Application. Councilor Stanak seconded the motion.

Previous owner is selling and Remy Cooper is applying for application.

Ongoing noise issue was discussed. Establishment is set for closing at 2:00am.

Councilor Dober moved to postpone until the next meeting. Councilor Stanak seconded the motion to postpone.

5.01. OUTSIDE CONSUMPTION PERMIT APPLICATION (2010-2011):

Remy Cooper, LLC, d/b/a ½ Lounge, 136 ½ Church Street*

***MUST BE PRESENT AT THE MEETING**

6. OTHER BUSINESS – Noise issue was brought up. To be brought up at the next agenda.

7. ADJOURNMENT

Councilor Dober made a motion to adjourn the meeting seconded by Councilor Stanak at 5:29p.m.

MINUTES
CITY COUNCIL LICENSE COMMITTEE
WEDNESDAY, NOVEMBER 10, 2010

Present: Councilor Vincent Dober; Clerk/Treasurer's office, Lori Olberg and Carole Bourneuf; by cell phone Councilor Emma Mulvaney-Stanak

Commissioner Vincent Dober called the meeting to order at 5:29p.m.

1. AGENDA

Councilor Stanak moved to accept the agenda. Motion was passed unanimously.

2. CONSENT AGENDA

Councilor Stanak moved to accept the agenda with the exception. Councilor Dober seconded the motion. Councilor Stanak spoke regarding Communication 2.01 with Pacific Rim. Question: Why wasn't a ticket

issued regarding this particular incident. Is this standard practice or why wasn't a ticket issued? Lori stated that a ticket is usually issued and not sure why Lt. Art Cyr didn't write a ticket. Councilor Stanak moved to table this issue until the next meeting and Councilor Dober seconded the motion. The rest of the agenda was fine with Councilor Stanak. The motion was passed as amended.

- 2.01. COMMUNICATION: Lieutenant Art Cyr, Burlington Police Department, re: Supplementary Report—Pacific Rim: Entertainment Permit Required/Overcrowding
*waive the reading, accept the communication, place it on file and send a copy to Senior Assistant City Attorney Bergman to review for possible prosecution

***MUST BE PRESENT AT THE MEETING**

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

½ Lounge, 136 ½ Church Street*

Councilor Dober brought up the approval of Indoor Entertainment Permit Application for ½ Lounge. Councilor Stanak seconded the approval. The hours currently are 4:00pm until 2:00am. The hours are later than what have been approved for now and should be changed. Councilor Dober opened the floor for discussion.

Marian Fritz of Grandview Farms discussed the fact that there are a number of bars on this block and there are lots of apartments on this block that are complaining about the noise. People have to work and 2:00am is too loud for folks that have to go to work.

A study has been done in 2005 with an agreement between bar owners, cabarets and residents that reached an agreement and it just stopped. The agreement should be revised and looked at and see if we can work with this agreement so we can all co-exist. Ms. Fritz isn't able to keep the apartments full due to the noise issue. Request the commission be looked at City-wide and have hours looked at.

Councilor Stanak has just entered the room. No longer on cell phone.

Ron Redmond spoke about the nightlife on Church Street and the late hours. They formed a panel with Public Safety, City Government, and Business Community – got together and worked and came up with a recommended ordinance. Everyone gave up something to get something. Tried this for one year and a number of complaints were minimal. It became no longer a problem and it just wasn't enforced. Ron will send a copy of this report to Councilor Dober to use as a guideline to work with. Ron will get the revised guideline in 3-4 months.

Councilor Stanak made a motion to report the guidelines back to Liquor Committee by end of month. Seconded by Councilor Dober.

4. OTHER BUSINESS: Next meeting was discussed.

5. ADJOURNMENT

Councilor Dober made a motion to adjourn the meeting seconded by Councilor Stanak at 5:35p.m.