



OFFICE OF THE CLERK/TREASURER

City of Burlington

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LOCAL CONTROL SUB-COMMITTEE

TUESDAY, SEPTEMBER 2, 2014

CONFERENCE ROOM 12, CITY HALL

4:49 P.M.

****UNAPPROVED****

Present: Norm Blais (NB), Tom Ayres (TA), Gregg Meyer (GM) and Lori Olberg (LO)

Absent: Max Tracy (MT)

Also Present: Barry Simays (BS), Fire Marshal; Nelson Ferland, Snyder Construction; Andrew Machanic and Wendy Piotrowski, Co-owners of The Swingin' Pinwheel

LOCAL CONTROL SUB-COMMITTEE CHAIR BLAIS PRESIDING:

1. AGENDA

On a motion made by Commissioners Ayres and Blais the agenda was unanimously adopted as is.

2. CONSENT AGENDA

On a motion made by Commissioners Ayres and Blais the consent agenda was unanimously adopted thus taking the following actions as indicated:

2.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re: Catering Log
*waive the reading, accept the communication and place it on file

2.02. COMMUNICATION: Renee Warren, Administrative Assistant, DLC, re: Chubby Muffin,
8/10/14, Administrative Notice #743 for General Regulation #13, with a
fine of \$250; has been paid
*waive the reading, accept the communication and place it on file

2.03. COMMUNICATION: Renee Warren, Administrative Assistant, DLC, re: Chubby Muffin,
8/10/14, Administrative Notice #744 for Education Regulation #3(d),
with a fine of \$100; has been paid
*waive the reading, accept the communication and place it on file

2.04. COMMUNICATION: William J. Goggins, Chief, DLC, re: Bento, 8/10/14, Violation of
Education Reg. #3b, License suspension: Monday, September 22, 2014;
Mandatory DLC training
*waive the reading, accept the communication and place it on file

2.05. COMMUNICATION: Smitty's Pub, Addition of shareholder; removal of another
*waive the reading, accept the communication and place it on file

3. FIRST CLASS LIQUOR LICENSE RESTAURANT/BAR LIQUOR LICENSE APPLICATION (2014-2015):

The Swingin' Pinwheel LLC, d/b/a The Swingin' Pinwheel, 11 Center Street*

Commissioner Ayres made a motion, seconded by Commissioner Blais to approve this application with discussion. Commissioner Blais verified the location of this business was and if there were residents around. Co-owner Andrew Machanic stated that there were two-three apartments in the building occupied by younger folks who went out at night and had no issues with their establishment. Co-owners Andrew Machanic and Wendy Piotrowski stated that they serve breakfast and lunch presently and would like to have the opportunity to serve alcohol. They would like to offer on Saturday night dancing, lessons-swing dance. Commissioner Blais advised them to contact the Fire Marshal Office, Barry Simays added to have them contact Joe Keenan, Assistant Fire Marshal, for an inspection and OLC. The motion to approve the first class restaurant/bar liquor license application for The Swingin' Pinwheel passed unanimously. LO clarified with Wendy that the Saturday night hours of operation needed to change to reflect them being opened at night. Commissioner Blais amended these hours to be: 9 a.m. – 11 p.m. Commissioner Ayres agreed.

4. OTHER BUSINESS

LO made mention of the next meeting being scheduled for Tuesday, September 16th, 4:45 p.m., not sure of location at this time.

5. ADJOURNMENT

On a motion by Commissioners Blais and Ayres, the Local Control Sub-committee unanimously adjourned at 4:55 p.m.

Attest:

Lori Olberg, Licensing, Voting and Records Coordinator

CITY COUNCIL LICENSE COMMITTEE
TUESDAY, SEPTEMBER 2, 2014
4:49 P.M.

Present: see above, Corey Bolton, peddler, Headless Barbecue joined the meeting

LICENSE COMMITTEE CHAIR BLAIS PRESIDING:

1. AGENDA

On a motion made by Councilors Ayres and Blais the agenda was adopted as amended as follows: add to the agenda item 6.5. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (5 days only): Bern Gallery.

2. CONSENT AGENDA

On a motion made by Councilors Ayres and Blais the consent agenda was unanimously adopted thus taking the following actions as indicated:

2.01. COMMUNICATION: Renee Warren, Administrative Assistant, DLC, re: Ake's Place,

7/23/14, Administrative notice of agency action #1394, paid in full to include late fee, \$260

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

3. INDOOR ENTERTAINMENT PERMIT APPLICATION (2014-2015):

The Swingin' Pinwheel LLC, d/b/a The Swingin' Pinwheel, 11 Center Street*

A motion was made by Councilor Ayres, seconded by Councilor Blais to approve the indoor entertainment permit application for The Swingin' Pinwheel. Councilor Blais noticed that live instrumental music was checked off on the application, he asked the owners if they would be amenable to including live vocal music as well, they were. It was possibly that a three piece band would play on a Saturday night; the plan really is to offer swing dance classes. The indoor entertainment permit application was unanimously approved, as amended.

4. TRAVELING PEDDLER: Corey Bolton, Headless Barbecue*

A motion was made by Councilor Ayres, seconded by Councilor Blais to move this for consideration. Corey Bolton explained to the Committee that he would like to be able to travel around the City and had a few places that were on private property that he may be able to set up his operation, one being Kerry's Kwik Stop. Right now he is part of the Food Truck Stop that occurs on Friday nights in the parking lot of Arts Riot. In the winter time, he will be able to be a guest chef on Saturdays inside of Arts Riot. Barry Simays stated that two things need to be considered since he uses a smoker: where ever his operation is located, if that affects the surrounding alarm/fire system he will be held responsible and if there is nuisance smoke that appears. Corey understood Barry and let the Committee know that his new truck was not up and running yet. The Committee decided to table this request until the applicant was closer to a finished product which would also allow him a chance to meet with someone from the Fire Marshal's Office.

5. LICENSE AGREEMENT: Snyder Construction Company

A motion was made by Councilor Ayres, seconded by Councilor Blais to approve this license agreement. Nelson Ferland from Snyder Construction was present. Councilor Blais asked Assistant City Attorney Meyer if his office had review this agreement and if there were any issues to which GM answered yes and no respectively. The motion passed unanimously telling the applicant that this would be placed on the September 8th City Council consent agenda. LO shared that it was very unlikely that this would be removed from consent, notification of the City Council Meeting would be sent to Nelson on Thursday afternoon of this week.

6. GENERAL DISCUSSION OF ART HOP EVENTS GOING FORWARD

Councilor Blais asked Councilor Ayres to speak to this since it was his request to place on the agenda. TA shared that he had had a long conversation with Lt. Davidson about this year's Art Hop and how much extra time had been expended for each event when the real concern is the "totality" of all events. LO commented that City and State officials have been tasked to do work that is the responsibility of the SEABA coordinator. Improvements need to be made for next year's event and the approval process will occur much earlier, hopefully before summer. BS weighed in re: Fire protocols. TA had seen this year's coordinator earlier in the day and mentioned that this was on for the agenda, nobody showed up. The Committee scheduled an "after action review" agenda item on the September 16th License Committee Agenda with all of the key players to be in attendance.

6.5. SPECIAL EVENT INDOOR ENTERTAINMENT PERMIT APPLICATION (5 days only):

Bern Gallery, 135 Main Street

A motion was made by Councilor Blais, seconded by Councilor Ayres to approve the special event indoor entertainment permit application for Bern Gallery. LO spoke to this application since she did not deem it necessary for the applicant to be present at the meeting due to the proactive ness on their part in the event that any of their neighbors complained about noise. This is an annual event: popular glass/pipe blowers come the week of September 15th -20th to showcase their art with an IPOD that is on shuffle for the time period, 8 a.m. – 11 p.m. each day. With no alcohol being served they would be subject only to the noise ordinance but due to new neighbors they did not want to risk not having a permit in the event that there were complaints. LO informed Councilor Blais that this will be placed on the September 8th City Council consent agenda. The motion passed unanimously.

7. OTHER BUSINESS

There was no other business.

8. ADJOURNMENT

On a motion made by Councilors Blais and Ayres, the City Council License Committee unanimously adjourned at 5:40 p.m.

Attest:

Lori Olberg, Licensing, Voting and Records Coordinator