

Lori Olberg

From: Blais, Norman
Sent: Monday, March 10, 2014 11:08 AM
To: Ayres, Tom; Joan Shannon; Gregg Meyer; Maxwell Tracy; Lori Olberg
Subject: License Committee

Joan

You have asked that the chairs of the various city council committees report to you in writing regarding the progress of the respective committees and the future plans of the committees. Please consider this email to be my response on behalf of the sub-committee of the Local License Commission and the license committee.

As you know, most of our work is conducted on an ad hoc basis, with the body reviewing applications for the issuance or renewals of various licenses that are issued by the city. That process involves coordination with the City Clerk's office and cooperation with the City Fire Marshall's office. My view is that, for the past year, the committee has enjoyed a constructive relationship with both of those offices, and I have every reason to believe that such cooperation and coordination will continue into the future.

There were a number of systemic issues that we confronted during the past year. One relates to the inter-relationship of license renewal when the licensee is otherwise not in good standing with the City of Burlington. With guidance from the City Attorney's Office, the committee has communicated to every liquor license holder that the committee will recommend to the full council that the liquor license not be renewed for April if the licensee is obligated to the City on the gross receipts tax. That point of view has also been shared with the full City Council.

The committee also held public hearings with regard to the merger of the "cabaret" license and the "restaurant" license. That distinction is being eliminated at the State level, and the committee held hearings to weigh the impact of that elimination on the city's approach to license issuance and renewals. The committee determined that the point of contention with regard to this issue was the related question of the issuance of entertainment permits. With the assistance of Officer Burke of the Burlington Police Department, a protocol has been established wherein any licensed establishment (whether formerly viewed as a restaurant or cabaret) which intends to provide entertainment into the late evening hours will have to establish attendance at and compliance with enhanced training to be provided by BPD relating to crowd control and patron behavior.

The City Council last week approved a resolution that streamlines the annual renewal process for encumbrance agreements to which the City is a party.

There are two substantial issues that I see confronting the committee for the next year. More input is needed from the City Attorney's office as to whether the renewal of liquor licenses can be conditioned on other revenue issues (in addition to gross receipts taxes), or other matters in which the City has an interest. Otherwise stated, whether we could refuse renewals for licensees who have building code violations or owe property taxes to the City. To the extent that such authority does not presently exist, I would like a review of whether a charter change would be in order to provide the committee and council with that authority.

The second major issue relates to the problem of oversight of taxi licenses. We heard during the year that the Airport Commission feels over-burdened by the need to conduct hearings with regard to taxi license matters, and concerns that there is no effective mechanism for monitoring compliance with the newly-enacted taxi ordinances. When the dust settles after Re-organization Day and a chair is appointed for this committee, I see that issue as one that will require immediate attention.

I hope that the brevity of his communication is not interpreted to suggest that ours is a quiet committee. The other members of the City Council who serve on the Committee have devoted long hours in a selfless manner to promote the goals of the committee. It has been an absolute pleasure working with Councilors Tracy and Ayres on this committee.

Norm