

BURLINGTON CITY COUNCIL LICENSE COMMITTEE
CITY HALL –1ST FLOOR, BUSHOR CONF. ROOM *OR*
ZOOM MEETING WITH CALL-IN
BURLINGTON, VERMONT
MINUTES OF MEETING
April 26, 2023
DRAFT

MEMBERS PRESENT: Joan Shannon
Ben Traverse (via Zoom)
Melo Grant (via Zoom)

OTHERS PRESENT: Lori Olberg

Kyle Clauss

0. AGENDA

1. motion to amend/adopt the agenda

Councilor Shannon called the meeting to order at 5:39 PM.

MOTION by Councilor Traverse, SECOND by Councilor Grant, to amend/adopt the agenda as follows:

- **note revised version of consent agenda item 3.04;**
- **add to the consent agenda item 3.05 Communication: BPD, re: Street Event – Juneteenth Celebration, Saturday, June 17, 2023, 9 am – 7 pm.**

VOTING: unanimous; motion carries.

0. PUBLIC COMMENT (VERBAL)

1. Public Comment (verbal)

None.

0. CONSENT AGENDA

3.01 motion to adopt the consent agenda and take the actions as indicated

3.02 Communication, BPD, re: HOPE Works March – Take Back the Night, April 27, 2023 – waive the reading, accept the communication, and place it on file.

3.03 Communication: BPD, re: Walk, National Eating Disorder Association (NEDA), April 30, 2023 - waive the reading, accept the communication, and place it on file.

3.04 Indoor and Outdoor Entertainment Permit Renewals (2023-2024): see attached list – approve the 2023-2024 Indoor and Outdoor Entertainment Permit Renewals (see attached list) with all standard conditions.

3.05 Communication: BPD, re: Street Event – Juneteenth Celebration, Saturday, June 17, 2023, 9 am – 7 pm - waive the reading, accept the communication, and place it on file. ****voted on in conjunction with item 4.08****

MOTION by Councilor Traverse, SECOND by Councilor Grant, to adopt the consent agenda and take the actions as indicated for items 3.01-3.04.

VOTING: unanimous; motion carries.

0. DELIBERATIVE AGENDA

4.01 Extension of Indoor Entertainment Hours for Despacito

MOTION by Councilor Traverse, SECOND by Councilor Grant, to approve the extension of indoor entertainment hours for Despacito.

VOTING: unanimous; motion carries.

4.02 Tobacco License Application (2023-2024): Euphoria Cannabis LLC

MOTION by Councilor Grant, SECOND by Councilor Traverse, to approve the 2023-2024 Tobacco License Application for Euphoria Cannabis LLC.

VOTING: unanimous; motion carries.

4.03 Tobacco Substitute Endorsement License Application (2023-2024): D.J. Hazen, Incorporated, d/b/a 802 BWS

MOTION by Councilor Grant, SECOND by Councilor Traverse, to approve the 2023-2024 Tobacco Substitute Endorsement License Application for D.J. Hazen Incorporated, d/b/a 802 BWS.

VOTING: unanimous; motion carries.

4.04 Outdoor Entertainment Permit Renewal (2023-2024): Orlando's Bar and Lounge

MOTION by Councilor Grant, SECOND by Councilor Traverse, to approve the 2023-2024 Outdoor Entertainment Permit Renewal for Orlando's Bar and Lounge with all standard conditions, to 11:00 PM on Friday and Saturday nights and 10:30 PM on weeknights.

DISCUSSION:

- Holli Bushnell expressed appreciation for the Council's consideration for Orlando's Bar and Lounge and said that she hopes that the Applicant is able to comply with the terms of their entertainment permits. She asked for clarification in terms of compliance and overage. She also asked about efforts around sound dampening. Councilor Grant replied that the Applicant understands that there will not be any overage tolerated for their permit hours, and that they will need to be finished with outdoor events by the time specified in the permit. She said that she has also discussed some sound-dampening with the Applicant and is looking into securing funding or mutual aid for sound dampening equipment. She said that the Applicant is also looking into whether they can reconfigure where the stage is, which involves talking to neighboring establishments that share space in that alley.
- Sean Beauvais, the Applicant, spoke in further detail about sound remediation, including potentially building amplification boxes and extending a line between buildings and hanging sound-dampening fabric.
- Councilor Shannon suggested that the permit be approved but requested that the Applicant report back to the License Committee with an update in several months. She proposed a friendly amendment that the Applicant report back to the License Committee in June, 2023 with an update on sound dampening efforts.
- Councilor Traverse said that it would be good to review outdoor entertainment permits in the downtown area with an eye to more consistency in terms of end times, since other establishments have later permits than Orlando's, even though they are in close proximity.
- Councilor Shannon reminded the Applicant that compliance with City noise ordinances is one of the standard terms and conditions.

VOTING: unanimous; motion carries.

4.05 Indoor Entertainment Permit Application (2023-2024): A & E Enterprises, d/b/a Mr. Mike's Pizza, 206 Main Street

MOTION by Councilor Grant, SECOND by Councilor Traverse, to approve the 2023-2024 Indoor Entertainment Permit Application for A & Enterprises, d/b/a Mr. Mike's Pizza with all standard conditions.

DISCUSSION:

- **Mr. Chiaravelotti, the Applicant, confirmed their revised hours as Monday through Thursday, 11:00 AM to 10:00 PM, and Friday from 11:00 AM to 3:00 AM, Saturday from noon to 3:00 AM, and Sunday from noon to 10:00 PM.**

VOTING: unanimous; motion carries.

4.06 Outdoor Entertainment Permit Application (2023-2024): Hotel Vermont, 41 Cherry Street

MOTION by Councilor Grant, SECOND by Councilor Traverse, to approve the 2023-2024 Outdoor Entertainment Permit Application for Hotel Vermont, 41 Cherry Street with all standard conditions.

VOTING: unanimous; motion carries.

4.07 Special Event Outdoor Entertainment Permit Application (one day only): Ken's Pizza & Pub, 71 Church Street/170 Bank Street, Saturday, June 4, 2023

MOTION by Councilor Traverse, SECOND by Councilor Grant, to approve the one day only special event outdoor entertainment permit application for Ken's Pizza and Pub, 71 Church Street/170 Bank Street, Saturday, June 4, 2023, 11 am - 3 pm.

VOTING: unanimous; motion carries.

4.08 Special Event Indoor and Outdoor Entertainment Permit Application (one day only): OKAY!!OKAY!! marketing & Creative/REIB Department City of Burlington, Saturday, June 17, 2023, 11 am - 11 pm, Various locations around the City

MOTION by Councilor Traverse, SECOND by Councilor Grant, to approve the one day only special event indoor and outdoor entertainment permit application for OKAY!!OKAY!! Marketing & Creative/REIB Department City of Burlington, Saturday, June 17, 2023, 11 am - 11 pm, Various locations around the City.

DISCUSSION:

- **Luis Calderin spoke on behalf of the Applicant. He noted that OKAY!!OKAY!! was hired on behalf of the REIB Department to produce the event. He said that what will differ this year is that the event will be centralized in and around City Hall Park, City Hall, Church Street, Main Street, and in the Flynn Theater. He noted that all activity will move into the Flynn Theater after 7:00 PM the evening of the event. Councilor Shannon that the outdoor events will stop at 7:00 PM. Taryn Maitland, also on behalf of Applicant, noted that the streets should close around 9:00 AM and be open again by 7:00 PM.**

VOTING: unanimous; motion carries.

3.05 Communication: BPD, re: Street Event – Juneteenth Celebration, Saturday, June 17, 2023, 9 am – 7 pm - waive the reading, accept the communication, and place it on file.**voted on in conjunction with item 4.08**

MOTION by Councilor Traverse, SECOND by Councilor Grant, to waive the reading, accept the communication, and place it on file.

VOTING: unanimous; motion carries.

0. **OTHER BUSINESS**

5.01 Verbal Comments

Councilor Shannon said that at a future meeting she would like to discuss the process around managing conflicts between businesses and neighbors when noise complaints are filed, since those noise complaints are likely filed with this Committee. Councilor Traverse noted that businesses only need to apply for outdoor entertainment permits if they are selling alcohol and that some noise complaints have been received in the South End of the City from certain businesses that aren't selling alcohol.

0. **ADJOURNMENT**

6.01 Motion to adjourn

Meeting adjourned at 6:31 PM.