



Local Control Commission Meeting - Monday, April 11, 2016, begins right after Public Forum - Contois Auditorium, City Hall - 4/11/2016

MINUTES SUBJECT TO CORRECTION BY BURLINGTON CITY COUNCIL. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE CITY COUNCIL.

BURLINGTON CITY COUNCIL

CONTOIS AUDITORIUM, CITY HALL

BURLINGTON, VERMONT

LOCAL CONTROL COMMISSION

MINUTES OF MEETING

April 11, 2016

DRAFT

MEMBERS PRESENT: Jane Knodell (Council President) – Central District

David Hartnett – North District

Joan Shannon – South District

Selene Colburn, East District

Sharon Foley Bushor – Ward 1

Max Tracy – Ward 2

Sara Giannoni - Ward 3

Kurt Wright – Ward 4

William “Chip” Mason – Ward 5

Karen Paul – Ward 6

Tom Ayres – Ward 7

Adam Roof – Ward 8

ADMINISTRATION: Miro Weinberger, Mayor

Eileen Blackwood, City Attorney

Richard Haesler, Assistant City Attorney

Bob Rusten, CAO



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Rich Goodwin, ACAO

Jennifer Kaulius, Mayor's Office

Brian Lowe, Mayor's Office

Amy Bovee, C/T Office

Lori Olberg, C/T Office

Police Chief, Brandon del Pozo

Jesse Bridges, Parks & Rec

Dan Cahill, Land Steward

Peter Owens, CEDO

Davie White, Planning & Zoning

OTHERS PRESENT:

Andrew Meninski, attorney

Dr. Stephanie Sequino, PhD, UVM

Sherida Paulson, BTC

Dan Sinex, BTC

Jesse Beck, BTC

William Fellows, BTC

David Spillane, BTC

Ron Ruloff, Cathedral Square

Kelly Devine, Burlington Business Association

Tom Torti, Lake Champlain Chamber of Commerce

Brian Boardman, realtor

Joey Berkstein, Seventh Generation

Zandy Wheeler, business owner

Mark Sherman, Outdoor Gear Exchange & Bigger Boat

Charles Winkleman, preschool teacher

John Cronin, resident



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Richard Dean, Ward 1 resident

1.0 CALL TO ORDER and AGENDA

Council President Knodell called the Local Control Commission meeting to order at 8:04 PM on April 11, 2016.

1.01 Agenda

MOTION by Councilor Ayres, SECOND by Councilor Roof, to approve the agenda as stated. VOTING: unanimous; motion carried.

2.0 CONSENT AGENDA

2.01 PROCEDURAL: Amend/Adopt Consent Agenda and Take Action(s) as Indicated

2.02 PERMIT RENEWALS: First & Second Class Liquor Licenses 2016-2017 (see list)

2.03 PERMIT RENEWALS: Outside Consumption Permits 2016-2017 (see list)

2.04 PERMIT EXPANSION: Outside Consumption Permit Expansion (20 days), Ken's Pizza and Pub, 71 Church Street

2.05 PERMIT EXPANSION: Outside Consumption Permit Expansion (20 days), Pascolo Ristorante, 83 Church Street

2.06 PERMIT (one day): Outside Consumption Permit (one day), Citizen Cider, 316 Pine Street, Suite 114

MOTION by Councilor Ayres, SECOND by Councilor Tracy, to approve the Consent Agenda (Items 2.01 - 2.06), accept the recommendations, take the action indicated, and place the information on file.

VOTING: unanimous; motion carried.

3.0 2016-2017 LICENSE APPLICATION(S)

3.01 First Class Restaurant/Bar Liquor License Application 2016-2017: Zen Lounge, 165 Church Street

Councilor Mason recused himself due to his firm's prior involvement with 165 Church Street, LLC.

MOTION by Councilor Ayres, SECOND by Councilor Roof, to approve a First Class Restaurant/Bar Liquor License 2016-2017 for Zen Lounge, 165 Church Street.

DISCUSSION: There was discussion of postponing action until the Department of Liquor Control conducts an administrative hearing and decides if a liquor license will be issued to the establishment.

AMENDMENT by Councilor Hartnett, SECOND by Councilor Bushor, to postpone action on the First Class Restaurant/Bar Liquor License 2016-2017 for Zen Lounge, 165 Church Street, until the state rules on the license. FRIENDLY AMENDMENT to postpone action to the 4/25/16 City Council meeting.

DISCUSSION ON AMENDMENT: Legal counsel noted the state will hold a hearing on the liquor license, but may not take action at that time. Only the state can issue a liquor license, not the city. The city has control over the entertainment permit. All city licenses expire April 30th each



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year. The state has approved 3rd Class license for hard liquor and spirits for Zen Lounge, but is still deciding on the 1st Class license. Clarity is needed on the effect of the city waiting to take action on the license until the state acts. Staff will provide information at the 4/25/16 City Council meeting. Andrew Meninski, attorney representing Zen Lounge, noted Zen Lounge can serve alcohol. The application for a 1st Class liquor license is complete and the fees have been paid. Zen Lounge is entitled to a renewal. City Council can revisit the issuance at any time. There were no further comments.

VOTING on motion as amended (postpone action to 4/25/16 meeting): 9 ayes, 2 nays (Ayres, Roof), one recusal (Mason); motion carried.

3.02 Outside Consumption Permit Application 2016-2017: La Boca's Wood Fired Pizzeria, 1127 North Avenue, Suite 32

MOTION by Councilor Ayres, SECOND by Councilor Roof, to approve an Outside Consumption Permit 2016-2017 for La Boca's Wood Fired Pizzeria, 1127 North Avenue, Suite 32.

VOTING: unanimous; motion carried.

4.0 ADJOURNMENT

With no further business and without objection the meeting was adjourned at 8:18 PM.

RScty: MERiordan