

Minutes for the Lowell License Commission meeting for Thursday, January 30, 2020 at 6:05 p.m., held in the City Council Chamber, 2nd floor, City Hall, 375 Merrimack St., Lowell, MA 01852.

Present: John Descoteaux, Commissioner, Chairman, Commissioners Martha Howe and Joseph Donahue, and Gary Gordon, Assistant City Solicitor, Captain James Hodgdon of the Lowell Police Department.

Absent: Clifford Krieger and Terry McCarthy, Commissioners

The Commission, on the motion by Commissioner Howe, second by Commissioner Donahue, voted to approve meeting minutes for January 9, 2020, with correction page 1, line 16, a word change from “site” to “status.”

The Commission reviewed the applications for special one-day license to sell/dispense malt beverages and wines only, or either one:

For ratification - application filed 1-10-2020, license issued for event: #11SP2020, Ashley Roper, Catering Manager, Aramark, University Crossing, 220 Pawtucket St., Reception for Newly Promoted Faculty, Thursday, January 23, 2020, 3:30 p.m. to 5:00 p.m. Ashley Roper was present. The Commission, on the motion by Commissioner Donahue, second by Commissioner Howe, ratified the issuance of said license.

Heather L. Austin of Coco Luna LLC for events at Mill No. 5, 250 Jackson St., 4th and 5th floors:

Love Buzz Market, Saturday, February 1, 2020, 12:00 p.m. to 4:00 p.m.;

Fiber Fest, Saturday, February 8, 2020, 12:00 p.m. to 4:00 p.m.;

The Nerd, Saturday, February 15, 2020, 12:00 p.m. to 4:00 p.m.;

The Oddity Marketplace, Saturday, February 22, 2020, 12:00 p.m. to 4:00 p.m.;

Decades Marketplace, Saturday, February 29, 2020, 12:00 p.m. to 4:00 p.m.

Heather Austin was present. The Commission, on the motion by Commissioner Howe, second by Commissioner Donahue, voted to approve licenses for Heather Austin of Coco Luna.

Robin Dupell of ATP Enterprises, Inc., d/b/a Cobblestones, for Winterfest 2020, concession on Arcand Drive in front of JFK Courtyard, Friday, February 21, 2020, 5:00 p.m. to 10:00 p.m., and Saturday,

February 22, 2020, 12:00 p.m. to 10:00 p.m. Robin Dupell was present. Chairman Descoteaux inquired with Captain Hodgdon about the beer and wine concession. Captain Hodgdon stated the Lowell Police do not have a problem with the concession. The Commission, on the motion by Commissioner Donahue, second by Commissioner Howe, voted to approve licenses for Robin Dupell of Cobblestones.

Jack Fletcher of Lowell Catholic Athletic Dept., for Trivia Night, Saturday, March 21, 2020, 7:00 p.m. to 11:00 p.m. at Lowell Catholic - Keith Gymnasium, 530 Stevens St. Jack Fletcher was present. The Commission, on the motion by Commissioner Donahue, second by Commissioner Howe, voted to approve the license for Jack Fletcher of Lowell Catholic Athletic Dept.

The Commission reviewed the applications for special one-day license to dispense wines only by Steve Syverson, President, Arts League of Lowell, for premises at 307 Market St.; Steve Syverson was present:

Artists' reception-Water, Saturday, February 1, 2020, 4:00 p.m. to 6:00 p.m.;

Artists' reception-Faces, Saturday, March 14, 2020, 4:00 p.m. to 6:00 p.m.;

Artists' reception-Elements 2020, Saturday, May 2, 2020, 4:00 p.m. to 6:00 p.m.;

Artists' reception-Postcards, Saturday, June 27, 2020, 4:00 p.m. to 6:00 p.m.;

Artists' reception-Mini Quilts, Saturday, August 22, 2020, 4:00 p.m. to 6:00 p.m.;

Artists' reception-Greenwald Retrospective 2020, Saturday, October 3, 2020, 4:00 p.m. to 6:00 p.m.;

Artists' reception-100 & Below, Saturday, December 5, 2020, 6:00 p.m. to 8:00 p.m.

The Commission, on the motion by Commissioner Howe, second by Commissioner Donahue, voted to approve licenses for Steve Syverson of Arts League of Lowell.

The Commission reviewed the applications for special events permit for the amplification of sound

City of Lowell by Henri B. Marchand, Cultural Affairs Director, for Winterfest 2020, Friday, February 21, 2020, and Saturday, February 22, 2020, Friday 5:00 p.m. to 10:00 p.m.; Saturday 12 noon to 10:00 p.m., at JFK Plaza and Arcand Drive, music/bands, public address. Henri Marchand was present.

Chairman Descoteaux inquired with Captain Hodgdon about the Winterfest. Captain Hodgdon stated the event activities are good. The Commission, on the motion by Commissioner Donahue, second by

Commissioner Howe, voted to approve the special events permit for amplification of sound for the City of Lowell Winterfest.

Clemente Park Committee by Jhonnatha Cheam, for 9th Annual Khmer New Year Celebration, Saturday, April 25, 2020 (rain date: Sunday, April 26, 2020), 11:00 a.m. to 6:00 p.m., at the Palin Volleyball Complex at Roberto J. Clemente Park, 803 Middlesex St., live band, tradition Cambodian orchestra, amplified sound with PA speakers for announcements. Jhonnatha Cheam was present. Chairman Descoteaux inquired with Captain Hodgdon about the Khmer New Year Celebration. Captain Hodgdon stated there are no issues with event activities. The Commission, on the motion by Commissioner Howe, second by Commissioner Donahue, voted to approve the special events permit for amplification of sound for the Clemente Park Committee for the event scheduled April 25, 2020, and the rain date of April 26, 2020.

The Commission, reviewed the application by CEC Entertainment, Inc., d/b/a Chuck E. Cheese's, malt beverages & wines only restaurant licensee at 199 Plain Street, unit 5, for change of manager of record to Ana Gabriela-Surillo-Navarro of Lowell. Ana Gabriela-Surillo-Navarro was present. Chairman Descoteaux asked Ana about her work experience with Chuck E. Cheese. Ms. Navarro stated she was been with the company for two years. Commissioner Howe asked if Ms. Navarro is TIPS certified. She stated she anticipates certification soon. The Commission, on the motion by Commissioner Donahue, second by Commissioner Howe, voted to approve the application for manager change to Ana Gabriela-Surillo-Navarro for CEC Entertainment, Inc., d/b/a Chuck E. Cheese's.

The Commission reviewed for reconsideration the application by Holy Ghost Society, Inc., d/b/a Holy Ghost Society, Elizabeth Candido, Clerk, all alcohol beverages club licensee at 65 Village Street, for change of manager to Nelson Veiga of Lowell, MA, and change of club officers and directors. Nelson Veiga was present. Mr. Veiga stated he is TIPS certified and has Crowd Manager Certification. The original application was approved by the Commission on December 13, 2018. The A.B.C.C. Investigator recommended the application be remanded to the License Commission pending filing change of officers

and director with the Corporations Division of the Commonwealth's Secretary of State. The Commission reviewed the change of officers, directors filed by the Clerk of the Holy Ghost Society, Inc. After some discussion, the Commission, on the motion by Commissioner Howe, second by Commissioner Donahue, voted to approve the application for change of manager and change of officers, directors for Holy Ghost Society, Inc.

The Commission continued discussion from January 9, 2020 about the status of Dudley's restaurant with Matthew Murphy of Dudley's and Attorney Michael Zaim, legal counsel for Dudley's. Attorney Zaim addressed the Commission about the closure of Dudley's after January 1, 2020, the incident of vandalism which occurred inside the restaurant on or about January 3, 2020, the plan to re-open the business in approximately one month, and about the clean-up of the public way/alley that exists between buildings from Merrimack Street to Paige Street. The Commission discussed with Attorney Zaim in-depth said issues. At the conclusion of discussion, the Commission, on the motion by Commissioner Howe, second by Commissioner Donahue, voted to allow the licensee time to prepare the premises for compliance with building, fire code, and sanitary code inspections in anticipation of the issuance of 2020 all alcoholic beverages restaurant license, common victualler license, and entertainment in a licensed restaurant for live music, disc jockey, and juke box.

The Commission reviewed the application by Roast Beef and Pizza Lowell LLC, Eranda Mihasi, LLC Manager, for a malt beverages and wines only restaurant license for premises at 131 East Merrimack Street. The Commission, on the motion by Commissioner Howe, second by Commissioner Donahue, voted to ratify the publication of the legal notice in the Lowell Sun newspaper for Friday, January 31, 2020; public hearing scheduled for February 13, 2020 at 6:00 p.m. in the City Council Chamber.

Commissioner Howe made the motion to have notice sent to the manager of record for 255 Club Inc. Sean Gannem in order that he appear at the next scheduled meeting on February 13, 2020 to answer questions regarding the published newspaper article on January 19, 2020 in the Lowell Sun about 255 Club. Commissioner Howe cited specifically the reference to said club licensee having video poker

machines on the licensed premises. The video poker machines have not been approved by the License Commission. Commissioner Donahue seconded the motion, so voted.

The Commission, on the motion by Commissioner Howe, second by Commissioner Donahue, voted by roll-call to enter executive session at 6:30 p.m. regarding the Matter of Litigation, Namely Blue Shamrock, Inc. v. Lowell License Commission, Public Discussion of Which Could Have a Detrimental Effect on the City's Position – Ayes: Chairman Descoteaux, Commissioner Howe, Commissioner Donahue; absent: Commissioner Krieger, Commissioner McCarthy. Chairman Descoteaux announced the Commission will adjourn the meeting in executive session.

Respectfully submitted by Ryan Wynn, Executive Secretary, present at meeting.
