

Minutes for the Lowell License Commission meeting for Thursday, January 11, 2018 at 6:00 p.m., held in the City Council Chamber, 2nd floor, City Hall, 375 Merrimack St., Lowell, MA 01852.

Present: John Descoteaux, Commissioner, Chairman, Commissioners Clifford Krieger, Terry McCarthy, Martha Howe, and Joseph Donahue; and Captain Jack Webb of the Lowell Police Department.

The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to approve minutes for meeting December 14, 2017.

The Commission reviewed the application for special events permit for amplified outdoor public entertainment by Henri Marchand for the City of Lowell, Winterfest 2018, music, bands, public address with amplification for Friday, February 23, 2018 from 5:00 p.m. to 11:00 p.m., and Saturday, February 24, 2018 from 12 noon to 11:00 p.m. for outdoor venues JFK Plaza - Arcand Drive - Lucy Larcom Park. Tobias Marx, Special Events Coordinator, was present. The Commission, on the motion by Commissioner McCarthy, second by Commissioner Howe, voted to approve the special events permit for amplified outdoor public entertainment for the above dates and outdoor venues of Winterfest 2018.

The Commission opened the hearing on alleged ownership/manager change without approval: Pho VStar Restaurant & Lounge, LLC, 602-608 Merrimack Street, Thai Duc Ninh, Manager, all alcoholic beverages restaurant. The following individuals were present: Thai Duc Ninh, Manager, and Attorney Cheryl A. Manahan of Tyngsborough, Atty. Manahan introduced herself by acknowledging Atty. Patrick J. Wood of Chelmsford as legal counsel for the licensee. She had been asked to represent Mr. Ninh by Atty. Wood who is away from his office this week. Attorney Manahan stated that tax payments for Pho VStar are current, that the [Lowell Sun]

article mischaracterized the food service provider as owners, suggesting over-enthusiasm of the dream of ownership. Chairman Descoteaux stated he saw a banner over the doorway for “Restaurante Casa Coqui.” Captain Webb, in response to the question from Chairman Descoteaux, stated the licensee has not been a problem. Atty. Manahan stated there is no intent to transfer ownership; that the manager [Thai Duc Ninh] initially offered Vietnamese cuisine when he first opened, changed to African cuisine, and is now offering Puerto Rican cuisine. Commissioner Krieger stated there is a need to update the business name, suggesting the matter be addressed at the next meeting, and that the banner be taken down. Chairman Descoteaux, noting the banner, the licensee is to contact the Office of Development Services about a permit for a sign on the façade. The Commission, on the motion by Commissioner Krieger, second by Commissioner Howe, voted that the manager for Pho VStar Restaurant & Lounge, LLC, take administrative action to correct the business name.

Commissioner Donahue made the motion to table the item on the pub crawl ordinance for the next meeting when a City attorney is available, second by Commissioner Howe, so voted. Chairman Descoteaux recognized Robert Johnson of What’s Poppin Entertainment who was present. Mr. Johnson spoke of a proposal for the 2018 Lowell Cinco de Mayo bar crawl. Commissioner Donahue recommended that Mr. Johnson review the pub crawl ordinance, citing Section C, paragraph 2. Commissioner Krieger commented on the pub crawl ordinance, an amendment to allow discretion by allowing a licensee to participate after a suspension of license within the previous year.

The Commission reviewed the Executive Secretary report about Alexander LLC, d/b/a Vibe Restaurant & Lounge, 179 Central St. The all alcoholic beverages restaurant license was surrendered by the licensee on December 31, 2017 at the Lowell Police Department, 50 Arcand

Drive. The business is closed; the license was not renewed for 2018. Chairman Descoteaux expressed appreciation to Captain Webb for dealing with the issue of the Vibe Restaurant last month.

The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to adjourn the meeting at 6:30 p.m.

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