

Minutes for the Lowell License Commission meeting for Thursday, May 24, 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 Acting Superintendent of Police Jonathan C. Webb and Gary Gordon, Assistant City Solicitor.

The Commission approved the meeting minutes for May 3, 2018 on the motion by Commissioner Krieger, second by Commissioner McCarthy, upon the insertion of the following sentence confirmed by Commissioner Howe: page 4, line 8, "Commissioner Howe questioned Mr. Heeley about management practices specifically was Lauren DiSalvo's husband involved."

The Commission reviewed the request by Paul Palladino of Lynnfield that his name not be recorded on the license for LD Holdings, LLC, d/b/a Bar 74 Lounge & Grill, at 76-78 Merrimack St. The License Commission approved Mr. Palladino as manager of record May 3, 2018. After discussion, the Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted that the Executive Secretary send written notification to Lauren DiSalvo, LLC Manager for LD Holdings, LLC, to inform her that she file new application for change of manager within a reasonable period of time. The Commission will review said application and interview the candidate at the scheduled meeting of July 12, 2018.

At 6:04 p.m., Chairman Descoteaux recused himself from the meeting.

Commissioner Krieger presiding, the Commission discussed the matter of a communication to City Solicitor, Law Department, dated May 18, 2018, from Travis J. Jacobs, Esq., legal counsel for LD Holdings LLC. Atty. Jacobs requested that the City of Lowell agree to stay execution of the Bar 74 suspension June 1-10, 2018 until ABCC renders a ruling on appeal. The ABCC has scheduled a hearing on the appeal for July 12, 2018. A consensus of the Commission, Commissioners Donahue, Howe, and

McCarthy, agreed that the Law Department should handle the request for stay and appeal. The Commission, on the motion by Commissioner Donahue, second by Commissioner Howe, voted that the City Solicitor handle the request for “stay” of suspension, and other legal matters pertaining to the appeal.

At 6:10 p.m., Chairman Descoteaux returned to the meeting.

The Commission reviewed applications for special one-day license to dispense wines only from Steve Syverson, President, Arts League of Lowell, Inc. at 307 Market Street, Artists' reception - Painting as Response: Small Works by Meredith Fife Day, Saturday, May 26, 2018, 4:30 p.m. to 7:00 p.m.; Artists' reception - Bricks & Stones, Saturday, June 9, 2018, 4:00 p.m. to 6:00 p.m.; Artists' reception - Story Telling with Flowers, Saturday, August 11, 2018, 4:00 p.m. to 6:00 p.m. Steve Syverson was present. The Commission, on the motion by Commissioner Donahue, second by Commissioner Howe, voted to approve licenses Steve Syverson to dispense wines only.

The Commission reviewed the application for special one-day license to sell/dispense all alcoholic beverages by Marc Clermont of The Miracle Providers North East, at The Onyx Room, Western Ave. Studios, 122 Western Ave., Gay Pride Cabaret Benefit Show hosted by The Miracle Providers North East, Saturday, June 23, 2018, 7:00 p.m. to 11:30 p.m. Marc Clermont was present. The Commission, on the motion by Commissioner Krieger, second by Commissioner McCarthy, voted to approve license for Marc Clermont.

For ratification, licenses issued May 10, 2018 to Tabatha Garnett, Catering Manager, Aramark, for the Engineering Graduation Reception, held Friday, May 11, 2018 from 4:00 p.m. to 8:30 p.m. at the ETIC Atrium, 40 University Ave.; and the Chemical Engineering Graduation Reception, held Monday, May 14, 2018 from 3:00 p.m. to 10:00 p.m. at Alumni Hall, 84 University Ave. Tabatha Garnet was present.

The Commission ratified the issuance of licenses to Tabatha Garnett on the motion by Commissioner Krieger, second by Commissioner Howe.

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

Tabatha Garnett, Catering Manager, Aramark, for the Faculty Showcase, Thursday, May 31, 2018, 4:30 p.m. to 9:00 p.m. at University Crossing 260, 220 Pawtucket Street.

Steve Mendonca of St. Anthony Parish, at the parish parking lot, 893 Central St., Saint Anthony's Feast, Saturday, June 16, 2018, 11:00 a.m. to 12:00 a.m.; and Sunday, June 17, 2018, 12:00 p.m. to 12:00 a.m.

Marta Rodrigues of the Portuguese American Lowell Youth Center at St. Anthony's Parish parking lot, 893 Central St., Sao Joao Feast, Saturday, June 23, 2018, 3:00 p.m. to 12:00 a.m., and Sunday, June 24, 2018, 2:00 p.m. to 11:00 p.m.

Kelly Fox of Greater Lowell Road Runners for GLRR Family Day, at Shedd Park Pavilion, Sunday, July 22, 2018, 11:00 a.m. to 3:00 p.m.

Geraldine Morillo Barazarte of Galeria Café, at Galeria Café, 366 Merrimack Street, Venezuelan Music live!, Saturday, May 26, 2018, 7:00 p.m. to 10:00 p.m.

Gabby Davis - Greater Lowell Health Alliance, at JFK Plaza, Greater Lowell Pride 2018, Saturday, June 2, 2018, 1:00 p.m. to 5:00 p.m.

Gabby Davis - Made In Lowell, at Kerouac Park, Friday Nights!, Friday, June 8, 2018, June 22, 2018, and July 13, 2018, 5:00 p.m. to 9:00 p.m. each night.

Chief Webb recommended to the Commission that the closing hour for Steve Mendonca's license for Sunday, June 17<sup>th</sup> be amended to 11:00 p.m. in lieu of 12:00 midnight because it is a school night, public and parochial schools will be open Monday morning for classes. At the conclusion of Chairman Descoteaux's questions and comments with each applicant, the Commission, on the motion by

Commissioner Krieger, second by Commissioner Donahue, voted to approve licenses for Tabatha Garnett, Steve Mendonca, Marta Rodrigues, Kelly Fox, Geraldine Morillo Barazarte, and Gabby Davis; Steve Mendonca's license for Sunday, June 17<sup>th</sup> amended from 12 midnight to 11 p.m.

The Commission reviewed applications for special events permit for amplified outdoor public entertainment from the following applicants who were present or had a representative present:

Sonya M. Patton, represented by Deborah Motew, of the Lowell Community Charter Public School, sound system for music and speeches, LCCPS Annual Block Party & Open House, Wednesday, June 6, 2018, 2:00 p.m. to 8:00 p.m., in front of 206 Jackson Street;

Kostas Cocalis of The New Olympia Restaurant, Inc., sound system for acoustic guitar, band for August 4th, Olympia Restaurant Patio Entertainment, patio area at 453 Market Street, from June 8 to September 29, 2018, 7:00 p.m. to 10:00 p.m., start 2 p.m. for 8/4 event.

Christopher Glenn Hayes of DIY Lowell, small PA system or Bluetooth speakers for staged dance, speaking program/costume contest, A Midsummer Dream on Merrimack Street (Festival), Saturday, June 16, 2018, 2:00 p.m. to 10:00 p.m., venues St. Anne's Church, 8 Kirk St., Lucy Larcom Park, Mack Plaza, Boarding House Park.

Elizabeth Mallon of Enterprise Bank, disc jockey with sound system, for the customer appreciation cook-out, Thursday, June 21, 2018 [rain date June 22], 11:30 a.m. to 2:00 p.m., 2:00 p.m., at the parking lot adjacent to Enterprise Bank, 222 Merrimack Street

Steve Mendonca of St. Anthony Church, sound system for DJ & Singer, St. Anthony Outdoor Feast, Saturday, June 16, 11:00 a.m. to 11:00 p.m.; Sunday, June 17, 2018, 12:00 p.m. to 10:00 p.m., at the parish parking lot, 893 Central Street.

Marta Rodrigues of the Portuguese American Lowell Youth Center, sound system for DJ & Singer, Sao Joao Feast, Saturday, June 23, 3:00 p.m. to 12:00 mid., Sunday, June 24, 2018, 2:00 p.m. to 10:00 p.m., at the St. Anthony Church parking lot, 893 Central Street.

Gabby Davis, Greater Lowell Health Alliance, live music, Greater Lowell Pride 2018, Saturday, June 2, 2018, 1:00 p.m. to 5:00 p.m., JFK Plaza

Gabby Davis, Made In Lowell, live music, Friday Nights!, June 8, 2018, June 22, and July 13, from 5:00 p.m. to 9:00 p.m., Kerouac Park

Gabby Davis, Made In Lowell, live music and / or DJ, Mill City Scavenger Hunt, Saturday, June 16, 2018, 12:00 p.m. to 5:00 p.m., Kerouac Park.

The Commission, on the motion by Commissioner McCarthy, second by Commissioner Donahue, voted to approve special event permits for amplification of sound for each event.

The Commission reviewed the application by Mass Motor Group LLC, Fernando Garces, Manager, for license for Second Hand Motor Vehicles, Used Car Dealer, Class II, for premises at 49.1 Marshall Rd., Building # 1, an open lot approximately 1,920 sq. ft. with office 273 sq. ft. Fernando Garces was present. Mr. Garces introduced himself to the Commission as a new business owner who looked forward to working in Lowell. Mr. Garces explained his use of office and waiting area inside Building # 1, and will have access to an area indoors for the detailing of vehicles for sale, to be stored outdoors in designated parking spaces. Mr. Garces stated he will have five (5) vehicles to sell at the outset. There is a maximum of twelve (12) parking spaces as noted on a scaled rendering of the leased area. After a brief discussion about the lease agreement, the Commission, on the motion by Commissioner Krieger, second by Commissioner Howe, voted to approve a Second Hand Motor Vehicles, Used Car Dealer license doe Mass Motor Group LLC, Fernando Garces, Manager, for premises at 49.1 Marshall Rd., Building # 1, for the license year to expire January 1, 2019.

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

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

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