



**MINUTES  
COMMITTEE MEETING  
LEGISLATION AND CODES**

**12/2/2019 at 7:11 PM**

**City Hall – Council Chambers, 2<sup>nd</sup> Floor**

**1. Roll Call**

Members present: Mr. Landon (chair), Mr. Huddle, Mrs. Blevins

Members absent: None

**2. Approval of Minutes**

Mr. Huddle made a motion to approve; Mrs. Blevins 2<sup>nd</sup>. Roll Call: Ayes – Mr. Landon, Mr. Huddle, Mrs. Blevins.

**Minutes from 11/19/2019 and 09/17/2019 approved (3-0)**

**3. Old Business**

Item 1. LIQUOR PERMIT RENEWALS (entire list of renewals)

Mr. Landon referred to list of all liquor permit holders within the city limits. Chief Collins followed up on a memo he sent council members regarding the five liquor permit holders with the highest calls for service. In descending order, those establishments were: Some Place Else (132), Whitey's (122), Time Out (92), Gotham (90), and the OK Café (54). The most calls for service at any of the bars were for bar checks aka walk throughs during busy times for presence. He detailed the statistics for disturbances and fights and acknowledged that the total calls for service included other non-criminal type calls (i.e. lock out, suspicious person, parking violation, accident in area, etc.). He specifically highlighted Gotham City (4<sup>th</sup> on the list), an establishment that had been delivered a notice regarding a nuisance establishment (after two shootings in a 2-month period). Since the delivery of that notice, things have relatively calmed down and they are not responding there any more than any other permit holder in the downtown area. He indicated that Mr. Huddle had talked with him about this, however no other council members made additional contact.

Mr. Huddle stated that he had made a recommendation (not a motion) for a public hearing at the last meeting. He clarified that he did not care about the "location", even though he had previously used that word. He said that he should have used the word "proximity", because of the location of retail establishments and a new eatery close to Gotham City. He asked their representative to come forward and talk. They have input

from administration, but he would like to hear from the establishment what they have done to make it better.

Natalie Wilson (137 W. Center Street) stated that they are not responsible for the (2<sup>nd</sup>) shooting at the bookstore. Gotham does not shoot guns, people do. After the first shooting, they reviewed the video and made changes on the things that they can control in their environment. They “wand” customers (metal detector), added bouncers/security, and got better cameras. They remove problem patrons. They are the only bar in town that wands. She indicated that there are problems at another location in town and nothing has been done, including a murder and a recent gun possession. They received a notice due to the accusation of their involvement with the 2<sup>nd</sup> shooting. She said there is no proof and the person arrested has been acquitted. They are planning to do some upgrades soon.

Mr. Huddle said they are under the watchful eye of certain groups, i.e. development groups that are bringing businesses into town. Miss Wilson said that is where he was getting the “location” thing and that they could not just remove her bar because they do not think it fits there. She has been making changes, but they cannot all happen in a day.

Mr. Landon pointed out that three on the list had more calls than Gotham. Miss Wilson said that they appreciate the bar checks and are cooperative with those, as well as investigations that police have conducted. They have been in business as Gotham for almost 6 years. Mr. Landon said that he does not think that they city exists to shut down businesses, but they do need to respond to nuisances. He does not feel that the situation rises to the level of objecting.

Mr. Schneider (Council President) said that they want to be sure that they do not end up with another problem location like once existed with Club Polish. He agreed that there is not enough to object to the license and expressed appreciation to Miss Wilson for speaking and for the effort that they have already made.

Mayor Schertzer said that this is the very first time in 21 years that they have thoroughly reviewed the entire list of liquor establishments in the renewal process. Council does have an obligation to look at all of these before they are renewed. The question of standards for the community is now something that the governing body (new council) needs to consider when making a decision to take no action vs request a hearing. He expressed appreciation to the clerk for the homework she has done on this issue to make the process go smoothly. This has been a positive process to look at these more closely and perhaps should be done more in advance in the future (i.e. start in committee in September). There are a couple of establishments on here, now that they

have seen the statistics, that are of even more concern to them than Gotham. The next council will be asked to set that standard. It is Department of Liquor Control that helps set that standard. There are levels to ask for a public hearing – just because they ask, does not mean they will get it, there are some things that do not warrant a hearing. He appreciates the discussion and the discussion as to what standards should be met for lawful liquor permits in this community.

Mr. Landon reviewed and highlighted suggestions from the Department of Commerce for remedies for the community for dealing with problem liquor permit premises, including options outside of the renewal cycle, i.e. local option and padlocking. This brings to light how much people care about their community and he appreciates the discussion. He commended the clerk on the work that has been done on the issue.

Mrs. Rose explained that there is one outstanding hearing on a NEW liquor permit for Family Dollar on N. Main Street. It is due to be scheduled in mid-January.

Mr. Landon made a motion that no action be taken on any liquor permits on this list, Mrs. Blevins 2<sup>nd</sup>. Roll Call: Ayes – Mr. Landon, Mr. Huddle, Mrs. Blevins

**No objections/action requested on any of the liquor permit renewals (3-0)**

#### **4. New Business:**

Item 1: Discussion on special Veteran Parking at City Hall

Mr. Landon requested that they investigate setting aside designated parking area at City Hall for veterans, most likely NOT a citable offense (honor system). Mr. Schaber said that this may not require any legislation to do that at City Hall. Mayor Schertzer explained that there are some safety issues related to where they will allow public to park around building and that they are required to have handicapped parking. Mr. Landon agreed to talk directly with administration about options to implement, without legislation.

#### **5. Items not on the agenda**

There being no further business to come before this committee, the chair adjourned the meeting a 7:39 PM.

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Robert Landon, Chair

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Tarina R. Rose, Council Clerk