

June 5, 2019
9200 Basil Court
Largo, MD 20774

THE BOARD OF LICENSE COMMISSIONERS MET IN REGULAR SESSION:

PRESENT:

Daphne Turpin Forbes, Chairman
Armando Camacho, Vice Chairman
Kenneth Miles, Commissioner
Tammie Norman, Commissioner
Tammy Sparkman, Commissioner
Benjamin Rupert, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Cristian Mendoza, Deputy Chief Liquor Inspector
Derrick Anthony, Deputy Chief Liquor Inspector
Kelly Markomanolakis, Administrative Assistant
Nikole Bennett, Administrative Aide

Time: 7:07 p.m.

In the matter of **t/a Carolina Kitchen**, Class B, Beer, Wine and Liquor, 6501 America Blvd, Hyattsville, 20782 – Special Entertainment Permit.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that she met with the manager of the business, Ms. Moss; that they are requesting light entertainment to enhance the dining experience; that the security plan is adequate; that they have been in business for many years.

Dawn Moss stated that she is a resident of Hyattsville; that she is the manager; that she has worked at this business for a long time; that they will have Disc Jockeys, karaoke, live music, open mike night, live bands; that she is excited to receive the special entertainment permit to continue to enhance the dining experience; that they do a lot of community outreach including offering the space for meetings and feeding the homeless; that the community is excited; that many of them enjoy karaoke and music; that they do not want to be a night club.

Otis Lonon stated that he is a resident of Hyattsville; that he is the owner; that as an entrepreneur the business needs to be marketed; that it is important to give the customer a great dining experience; that he wants it to be a nice facility; that he doesn't ever want it to be a night club; that he wants to have nice jazz bands, karaoke, and more; that he has corrected issues with having entertainment without a permit.

Bo Sampson stated that he promotes artists; that artists like somewhere to eat, hang out and music compliments food; that they are not abusing what they have; that it is not a club; that they don't charge at the door; that everywhere plays music.

Otis Lonon stated that they do have family events occasionally; that when he says they have parties he means large groups of 20 people or more; that they have overhead music only at those times.

Dawn Moss stated that the schedule in the application is correct; that if it changes they will notify the board; that there is not a dance floor.

Otis Lonon stated that the closing time on Friday should be midnight.

Mr. Camacho moved to amend the application to reflect the closing time on Friday is midnight instead of 10:00 p.m., seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

Corporal Cicale stated that even though closing time is listed, they will still serve 5 minutes prior including a full meal and a drink from the bar.

Ms. Turpin Forbes stated that all entertainment must end by the time listed in the application.

Mr. Camacho moved to approve the application for a special entertainment permit, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

In the matter of **t/a Loredo's Mexican Restaurant**, Class B, Beer, Wine and Liquor, 9227 Oxon Hill Road, Fort Washington, 20744 – Special Entertainment Permit.

Applicant is represented by Raquel Smith, Esquire.

Gregorio Martinez stated that he is a resident of Fort Washington; that he is the owner; that he is a Permanent Resident of the United States; that he has been a resident of Maryland for 11 years; that he has not been convicted of a felony or found in violation of any gambling laws; that he has owned Loredo's for three years; that they have not had any violations since he took over; that they are applying for a Special Entertainment Permit to be in use for Thursday – Sunday ; that the hours for use are 10:00 p.m. – 12:00 a.m.; that there will not be a cover charge; that there will not be a dancing; that there will not be a VIP section; that there may be some family friendly events; that there are eight surveillance cameras; that they store footage for 30 days; that for security they have Officer Perez; that he is an officer with the Prince George's County Police Department.

Officer Perez stated that he is a resident of Hyattsville; that he works there as security Thursday through Sunday; that he has been there for three years.

Gregorio Martinez stated that Officer Perez is not required to be there, but they have him there as extra security.

Corporal Cicale stated that she is a Corporal with the Prince George's County Police Department; that she was here when they applied for the Special Entertainment Permit last year; that she had a meeting with the community and the business owner concerning the decibel of the music and the concerns of the community; that she believes the community concerns are real, but that they are coming from the liquor store; that the problem isn't Loredo's; that while she was at the meeting they turned the music up all the way to see if it could be heard outside; that with the back door closed it can't be heard behind the restaurant; that she believes the noise is coming from cars in the parking lot; that she understands it is a police matter; that outside of there is alcohol bottles, condoms, other trash; that there haven't been any significant security calls; that she has gone over the security plan with Officer Perez; that he understands his role with the security plan; that the security plan is adequate; that the Use and Occupancy states the entertainment must end at midnight, but that the business can stay open past that time; that they have an officer for 20-30 patrons; that it is more than adequate security for the number of patrons for karaoke; that the community had concerns with Loredo's and they have complied; that they wanted the dark tint on the windows removed and it has been taken down; that she tried to help

the community and Loredó's problems; that she believes 90% of the problem they are experiencing is coming from the liquor store.

Officer Perez stated that he has worked with Loredó's for three years; that Friday and Saturday he works 10:30 p.m. to 2:30 a.m. sometimes; that patrons leaving Loredó's are not loud or boisterous; that patrons leaving the liquor store are loud; he has been an officer in district 4 for 11 years; that he agrees with Corporal Cicale that most of the problem is the liquor store; that there has been drinking, jumping fences and since security has increased many of the problems have decreased; that he stays late to make sure there aren't any problems and has additional time to clear the parking lot

Mr. Miles asked if they have talked to the liquor store about the problems.

Officer Perez stated that they're a business; that they sell liquor; that the shopping mall should handle the problem with them.

Sarah Cavitt stated that she is a resident of Fort Washington; that she represents the Indian Head Highway Area Action Council; that they submitted a letter prior to the hearing; that as long as the conditions are met that they discussed with Loredó's, they are no longer in opposition; that the meeting went well this past August; that they have complied with the requests they made; that they discussed the back door concerns with Corporal Cicale and she stressed that it must remain closed; that not only is it a security problem, but it lets noise out; that the problem with the noise is a zoning problem, not the restaurant's fault; that she would like to see shorter hours during school nights, but she doesn't oppose; that the Indian Head Highway Area Action Council reserves the right to oppose a renewal if they have issues.

David Felton stated that he is with the South Potomac Citizens Association; that they appreciate Loredó's trying to comply with their requests, but a Special Entertainment Permit would cause an increase in traffic in an already congested area; that Indian Head Highway is already dangerous; that they don't need a venue in the area or an influx in people with a residential area; that a special entertainment permit will bring a different crowd in.

Harriet Richmond stated that she opposes the Special Entertainment Permit; that she is a homeowner in the area; that she is concerned about management and criminal activities and the noise level; that there hasn't been a great effort to communicate with the community; that the owner didn't come to the meeting; that the owner was in North Carolina during the meeting; that the last time she went by the film on the windows hadn't been removed; that because of this and how long it took she's not sure the other issues will be addressed; that they don't need to add to the issues; that if it's the liquor store they don't need to add to the problem; that the officer at Loredó's hasn't done anything about the issues; that there haven't been calls made to community members or discussions; that her property value will decrease; that Proud Mary closed; that the community complained about the problems there; that she doesn't want the children in the area put at risk.

James Artis stated that he lives 130-140 feet away; that he can still hear the music; that he went to the meeting and told the owners his concerns; that the film on the windows was only removed recently; that no one came door to door about the issues; that the property values will be affected; that the neighbors have young children; that there will be people under the influence of alcohol and it won't help the problems; that they haven't complied with the noise problems; that they can still hear music; that the liquor store had security issues and they were taken care of; that people don't hang out there anymore.

Harriet Richmond stated that when they met in August and the most recent meeting the security officer was not present.

Corporal Cicale stated that Officer Perez has been there more than three years; that there were approximately 20 people at the meeting; that the liquor store is open late and so is the 7-11; that they are two opposite ends; that security has been made aware of the issues; that whether they didn't see the problem or what hopefully it has been addressed; that the tint was taken down and it was not mandatory; that it was taken down as a concession as requested at the restaurants expense; that there is one speaker that plays music through Muzak; that they also are able to play music on the speaker from the laptop; that the music is not so loud without the second system; that she has tried to help resolve the issues; that she thought they had come to an agreement with the community; that midnight is not too late to be open when you consider how late most places are open with the special entertainment; that they have made changes and the security is almost overkill; that it is not a large place; that she tested the volume of the music with the back door closed in the middle of the day and couldn't hear the music; that she did not see with the door open; that the fan in the kitchen drowns out most noise; that they discussed the security issues with leaving the back door open.

Officer Perez stated that an officer will be there Friday and Saturday all the time; that he is not always there; that he is in charge of the security there; that they will include Thursday and Sunday if entertainment is allowed; that in his opinion as an officer having police around will benefit the community with problems; that they will be there to help with accidents, disturbances in at 7-11 and more.

James Artis stated that he can't believe that people drinking in a bar makes the area safer; that people leaving the bar after drinking are not safe.

Helen Burtchill stated that she is a member of the Fort Washington civic association; that she was impressed by the testimony of Harriet and Felton and hopes the Board hears Harriet's complaints; that she has heard contradictions of the testimony she's heard; that during the meeting the music was so loud she couldn't hear; that she was told by the officer there they waited so the people could see how loud the music could go to; that there have been homicides in the shopping center; that there are constant complaints at the liquor store; that the Prince George's County Police Department needs to resolve these issues.

Ms. Turpin Forbes thanked everyone for their testimony; that the Board will be thoughtful in their discussion; that there must be balance.

Raquel Smith, Esquire requested to amend the application for the hours of the special entertainment permit.

Mr. Camacho moved to amend the hours of the special entertainment permit application to start at 8:00 p.m. and end at 11:00 p.m. Thursday and Sunday and 12:00 a.m. on Friday and Saturday, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

Mr. Camacho moved to approve the Special Entertainment Permit application with a six-month probationary period and that the special entertainment must end at 11:00p.m. on Thursday and Sunday and at 12:00 a.m. on Friday and Saturday, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

Mr. Camacho stated that he expects that if the music is too loud Officer Perez will ensure the back door remains closed and will have the music turned down.

In the matter of Ashraf Elberry, President/Secretary/Treasurer, United Wholesale Foods, Inc., **t/a Mediterranean Café**, Class B(AE), Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Sections 26-1103 and 26-1903 of the Alcoholic Beverage Article of the Annotated Code of Maryland Rule 75 of the Rules and Regulations for Prince George's County, to wit; That on Saturday, February 9, 2019 at approximately 1:56 a.m. Inspectors Bagby and Brockington of the Prince George's County Board of License Commissioners observed a Disc Jockey playing music on the licensed premises without a Special Entertainment Permit. Licensee was not present for the hearing.

In the matter of Maria Aguilar, President/Secretary/Treasurer, Sofia and Gicelle, Inc., **t/a Fast Eddie's**, Class B, Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Sections 4-109 and 26-1103 of the Alcoholic Beverage Article of the Annotated Code of Maryland Rules 46 and 78 of the Rules and Regulations for Prince George's County, to wit; That the Prince George's County Police Department allege that events scheduled for and held on April 12, 13, 20 and 28, 2019 were managed and hosted by promoters; that someone other than the licensee was receiving a pecuniary interest in the activities of the licensed premises.

Licensee is represented by Linda Carter, Esquire.

Corporal Cicale stated that she met with Ms. Carter at her law office to discuss the concerns with Fast Eddies; that there have been concerns on and off over the years; that there are many flyers that advertise events promoted by a third party; that it is a violation; that she notified Ms. Aguilar of the problems; that it is difficult to determine if the security plan is adequate with a third party person advertising; that someone else can't collect the money for the events either; that in April she saw flyers for an event and contacted Ms. Aguilar; that there were advertisements for an event with bottle service, multiple phone numbers and more; that it is a violation to have bottle service; that either they were advertising these things and not doing them or were and that is also a violation; that the place can hold 700 people; that the number of officers is determined by the number of expected patrons; that there is a variety of entertainment; that she asked for calendars and they stopped in 2018; that she began asking for them again and received April and May's calendar in the middle of May; that it is unacceptable; that the June calendar came on June first which is acceptable.

Maria Aguilar stated that she had two individuals to do her advertising; that she used to pay them cash, \$800 a month; that now they are on payroll for \$1,000 per month to advertise; that when the problems began with her and Corporal Cicale she was sick and had surgery; that she was out for three months; that the people she left in charge didn't submit the documents that she was supposed to; that she is on the premises about every day from 11:00 a.m. to close; that on Monday she has a Disc Jockey and closes at midnight, Thursday and Wednesday she closes at midnight; that on Friday and Saturday she has live entertainment; that on Sunday she has a band; that she has not had a violation in the past two years; that she knows Corporal Cicale is supposed to get a calendar of events.

Corporal Cicale stated that she doesn't necessarily feel concerned now; that she feels like the concerns have been addressed; that she doesn't think Ms. Aguilar understands what promoters are; that she probably doesn't know what all they are advertising and that it may not be what she wants; that crowds become unmanageable if there is false advertising; that they have a dance hall

permit; that it is a nightclub; that the security plan has always been followed; that Ms. Aguilar is always available; that Ms. Aguilar is ok with additional officers; that there are civilian security as well; that on Friday she has 12 civilian and 6 Prince George's County Police Officers, Saturday 8 civilian and 4 Prince George's County Police Officers; that she needs to ensure the entertainment complies with the security plan; that promoters make promises, talk up events and cause amusement issues; that she brought a years' worth of promoters flyers; that they all say to reach out to someone other than the licensee; that they name hosts other than the licensee; that she consistently finds flyers; that she feels that now that Ms. Carter is involved the problem will be solved; that wants the calendar for the month by the first; that she understands things may need to change and expects to be notified of changes; that she needs specifics on the calendar; that it can't just say band it must say which band; that the people advertising are still promoters, but are paid by her.

Maria Aguilar stated that they work for her and collect the money for her.

Corporal Cicale stated that they had the same problem four years ago; that she knows how to trace flyers; that the flyer she found to cause this hearing specifically goes back to someone stating in their own words as a promoter.

Latasha Ward stated that she is a resident of Bowie; that she works with consulting and supporting Ms. Aguilar; that she has worked for her for three years; that sometimes the bands put out their own promotions; that she has to tell them they can't; that they work in the community.

Ms. Sparkman stated that as a business owner Ms. Aguilar should be aware; that she is responsible for knowing what is being promoted and advertised.

Mr. Camacho moved to fine the establishment \$1,500, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

Respectfully Submitted,

Nikole Bennett
Administrative Aide

Adjourned 8:44 p.m.