

CITY OF COLLEGE PARK, MARYLAND

\* \* \* \* \*

PUBLIC HEARING

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LICENSE APPLICATION OF  
SANTA FE CAFE/THE MARK  
4410 Knox Road

\* \* \* \* \*

MONDAY  
FEBRUARY 11, 2008  
8:30 p.m.

The above-entitled matter commenced at  
10:40 p.m. in the City Hall Auditorium, 4500  
Knox Road, College Park, Maryland 20740, Mayor  
Stephen A. Brayman, presiding.

COUNCIL MEMBERS PRESENT:

STEPHEN A. BRAYMAN	Mayor
ROBERT T. CATLIN	Mayor Pro Tem
MARK COOK	Member
MARY C. COOK	Member
KAREN E. HAMPTON	Member
JONATHAN MOLINATTO	Member
JOHN E. PERRY	Member
STEPHANIE STULLICH	Member
PATRICK L. WOJAHN	Member

STAFF PRESENT:

JOSEPH L. NAGRO	City Manager
SUELLEN M. FERGUSON, ESQ.	City Attorney
JANEEN S. MILLER	City Clerk
JEANNIE RIPLEY	Code Enforcement
ROBERT RYAN	Officer Director of Public Services

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1 P-R-O-C-E-E-D-I-N-G-S

2 10:42 p.m.

3 MAYOR BRAYMAN: Let me see, with  
4 respect to what were the criteria of the  
5 Liquor Laws, do either of you need to have the  
6 City Attorney reread them? I think you've  
7 been present the entire time. Okay.

8 Mr. Ryan, would you please, then,  
9 summarize the concerns.

10 MR. RYAN: Yes, thanks. Bob Ryan,  
11 Director of Public Services.

12 MR. BRAYMAN: Let me just, before  
13 you go, but this is a hearing on p-

14 MR. RYAN: Santa Fe.

15 MR. BRAYMAN: Let me just  
16 differentiate between these two. I apologize,  
17 Mr. Ryan. This will be a hearing that was  
18 scheduled at 8:30, it is now commencing at  
19 about 10:42.

20 And it's with the Double Eagle,  
21 Inc., William Srour, President. Debra Berman,  
22 Vice President. Mark Srour, Secretary.

1 Trading as Santa Fe Caf,, 4408 and 4410 Knox  
2 Road and trading as The Mark of Santa  
3 Fe/Mark's Lounge, 7410 Baltimore Avenue,  
4 College Park, Maryland 20740.

5 Class B, BLX, beer, wine and  
6 liquor license. Thank you, Mr. Ryan, you may  
7 proceed.

8 MR. RYAN: Yes, thank you. Staff  
9 brought concerns to the Council a couple of  
10 weeks ago at work session in regards to Santa  
11 Fe and The Mark.

12 The major issue with Santa Fe was  
13 in regards to a stage that had apparently been  
14 constructed without construction permits and  
15 we were concerned about it.

16 And we have confirmed, as of last  
17 week, the stage is no longer there. So Santa  
18 Fe is in compliance in that regard in that the  
19 stage was dismantled and removed.

20 And the business plan now is to  
21 use a temporary, three foot high stage, I  
22 believe. And so there's no longer any concern

1 for the stage collapsing, you know, onto an  
2 audience. So that issue has been resolved.

3 In regards to Santa Fe, the only  
4 other issue was a property use agreement issue  
5 which I'm not sure you want to discuss at all,  
6 and that was the issue of a sprinkler system.

7 MR. BRAYMAN: That was not what,  
8 that's not even what you and I discussed prior  
9 to this meeting tonight.

10 MR. RYAN: Right.

11 MR. BRAYMAN: No, we discussed  
12 though that, first of all, when staff  
13 presented to us about the stage, okay, they'd  
14 also presented a time line of how events went  
15 forward, okay?

16 Which involved an appeal and then  
17 a withdraw from the appeal. When was the  
18 stage removed?

19 MR. RYAN: We confirmed the end of  
20 last week that the stage had been removed.

21 MR. BRAYMAN: So how many months  
22 went by that there was at least notice that

1           this was out of compliance?

2                       MR. RYAN: I believe it was August  
3 of last summer that the County issued the  
4 correction order.

5                       MR. BRAYMAN: Okay, all right. And  
6 the concerns of the stage, was it just limited  
7 to that it was a, no building permit had been  
8 issued?

9                       MR. RYAN: Right. There was no way  
10 for us to confirm that it was structurally  
11 sound.

12                      MR. BRAYMAN: Now that would  
13 present a potential public safety issue,  
14 right?

15                      MR. RYAN: Right.

16                      MR. BRAYMAN: Okay, all right. So,  
17 and that's the way it was presented to us,  
18 correct?

19                      MR. RYAN: Right.

20                      MR. BRAYMAN: Okay, so it needs to  
21 go through like some review by an engineer or  
22 somebody qualified that the stage is built and

1 the temporary stage has gone through that,  
2 correct?

3 MR. RYAN: I mean it's, the  
4 temporary stage is designed for use as a  
5 stage.

6 MR. BRAYMAN: Okay, all right.

7 MR. RYAN: And so we accept that.

8 MR. BRAYMAN: And then, at the same  
9 time, I recall staff notifying us that this  
10 establishment has petitioned the Board of  
11 Liquor License Commissioners to be able to  
12 open up to under 21?

13 MR. RYAN: That was an issue that  
14 came up through Councilman Olson, County  
15 Councilman Olson.

16 MR. BRAYMAN: But we've now learned  
17 of that, so, I thought that was going to be  
18 the second point that you were going to bring  
19 up, that's not necessarily part of a property  
20 use agreement, but certainly is within the, I  
21 guess the authority of the Liquor Board.

22 MR. RYAN: Yes.

1           MR. BRAYMAN: All right now, and so  
2           those are the two points that I wanted to  
3           cover that I think are, you know, maybe the  
4           one isn't as much about the renewal of the  
5           license, but it certainly would give us an  
6           opportunity to put forward an opinion of the  
7           under 21.

8           MR. RYAN: Right. And, as you  
9           know, Santa Fe Caf, and The Mark of Santa Fe  
10          are one entity, in that they were both  
11          combined under the same liquor license.

12          And so our concerns in The Mark of  
13          Santa Fe, the lounge area, is again with crowd  
14          management, as we talked about in a previous  
15          case.

16          And, where our Code Enforcement  
17          Officers have documented overcrowding in  
18          there. Originally, they were not able to use  
19          a rear exit, because an adjacent property  
20          owner had blocked that with a fence and the  
21          capacity was 49 people.

22          That fence has been removed. The

1 County has posted a new capacity. And it is  
2 now I think 96 people, 92 people.

3 MR. BRAYMAN: Hasn't there been  
4 some information you've been privy to that  
5 establishments like this, all establishments  
6 like this might have their capacities reduced  
7 or sized, based upon whether they did or did  
8 not have sprinkler systems?

9 MR. RYAN: With a change in the  
10 Fire Code last January, the Code now reads,  
11 and we haven't gotten written confirmation  
12 from the County, even though we've asked for  
13 that.

14 That an establishment that exceeds  
15 300 people is now supposed to be sprinklered.  
16 The posted capacity in the Santa Fe was 437.  
17 I'm not aware that that's been reduced at this  
18 time.

19 I think the property owners have  
20 had some discussions with the Fire Department  
21 on that and they may be able to give you an  
22 update.

1 MR. BRAYMAN: All right, so --

2 MR. RYAN: We have not been able to  
3 get anything in response to our inquiry?

4 MR. BRAYMAN: All right. But at  
5 this point there's nothing that we know of to  
6 say that there is a compliance issue, because  
7 the Fire Department is learning how to  
8 implement this, we think?

9 MR. RYAN: We think. They have not  
10 advised us.

11 MR. BRAYMAN: Okay, all right. So  
12 there's not a compliance issue. Okay, I'm  
13 just trying to narrow the focus.

14 And let me just state that the  
15 property use agreements is a contract, and so  
16 if we desire to pursue property use agreement  
17 conditions, we certainly can but through  
18 another avenue. Okay? All right. Any  
19 questions of Mr. Ryan?

20 (No response.)

21 MR. BRAYMAN: All right, thank you  
22 very much Mr. Ryan. Mr. Srour, are you going

1 to take the lead? Okay. As with everyone,  
2 name and address. In fact, if you're both  
3 going to chime in, I guess both of you p-

4 MR. SROUR: Mark Srouer, 7406 Baylor  
5 Avenue, College Park, Maryland.

6 MR. BRAYMAN: Do you have an  
7 opening statement that could address any of  
8 the concerns that you've heard?

9 MR. SROUR: We did take down our  
10 stage. We do have a temporary platform that  
11 we use for the bands. It's rated 200 square  
12 foot, per square foot.

13 And that's about it for right now.  
14 I'm up for questions.

15 MR. BRAYMAN: Okay the, I asked  
16 about the time line of Mr. Ryan. Can you  
17 illustrate the, I take it in August you became  
18 aware that, you know, we sent you a citation  
19 that, what, a building permit, was it a zoning  
20 code? All right, county fire department.

21 MR. SROUR: We've been working on  
22 this for, you know, a while. Architect-wise,

1 Engineer-wise, Fire, you know, Marshalls,  
2 everything.

3 And it's taken a lot of time and a  
4 lot of effort and some money. And nobody  
5 could give us an exact answer. Nobody. So we  
6 tried, last time I talked to my Architect was  
7 about three weeks ago.

8 He said you've got to do one of  
9 two or three things. You either tear it down.  
10 You either put a sprinkler system in. Or you  
11 go against everybody and you just do what you  
12 want to do.

13 So I decided, right now I cannot  
14 afford a sprinkler system, so we decided to  
15 take down the stage and that's what we did.

16 So the Fire Marshall is happy.  
17 And right now we're just trying to get some  
18 funds to hopefully, eventually put in a  
19 sprinkler system.

20 MR. BRAYMAN: It took all that time  
21 to figure out what actually was wrong with the  
22 stage?

1                   MR. SROUR: Well, the previous  
2                   owner never had documentation. We couldn't  
3                   find documentation. We thought, when I bought  
4                   the place, everything was permitted.

5                   Nobody had the documentation. So,  
6                   we tried to get a permit for the stage. We  
7                   even upgraded the stage to make it a lot  
8                   stronger. And nothing, I mean nobody could  
9                   give us a right answer or, you know, an  
10                  answer.

11                  So we decided to just take it  
12                  down.

13                  MR. BRAYMAN: The capacity issue,  
14                  well, at least with, I think Mr. Ryan said  
15                  they've had some concerns about overcrowding  
16                  over the, in the lounge. Do you have anything  
17                  to add to that?

18                  MR. SROUR: We just do our best,  
19                  just like everyone else does in College Park.  
20                  I know sometimes you're going to go over. And  
21                  the Fire Marshalls, the City Code Enforcement  
22                  always works with us.

1                   They come in, they say, hey, you  
2                   look like you're overcrowded. We might be,  
3                   depending on the shifts. Management may not  
4                   be watching too carefully.

5                   As soon as they come in, if I get  
6                   in there, I walk around also. You know, we'll  
7                   let in, you know, let out 15 or 20 people or  
8                   whatever it really needs to be and that's how  
9                   we all operate, we try to work with each  
10                  other.

11                  MR. BRAYMAN: Are we reasonable?

12                  MR. SROUR: Everyone has been  
13                  reasonable.

14                  MR. BRAYMAN: I meant on the  
15                  overcrowding.

16                  MR. SROUR: Everybody has been  
17                  reasonable. The Fire Marshalls the city,  
18                  everybody.

19                  MR. BRAYMAN: Okay, so I take it  
20                  then I can, similar to what I did with the  
21                  prior hearing, just, that that's an  
22                  affirmation to continue working with our Code

1 Enforcement on the overcrowding issue?

2 MR. SROUR: Yes, we always have.

3 I've been here 28 years and it's just, you

4 know, working together. And, you know,

5 sometimes we are over, we do our best. And we

6 just work together.

7 MR. BRAYMAN: The capacity related

8 to sprinkler systems, and I don't want to get

9 too far into this, but I wanted to just ask

10 you if that rule is applied, do you think you

11 would reduce your capacity, or would you put

12 in a sprinkler system?

13 MR. SROUR: It's hard to say right

14 now, because I just don't know. I know the

15 amount of money it's going to take. I do not

16 have that money. Unfortunately the

17 establishment that was here earlier, has put

18 a big dent in my pocket.

19 And when I say big, I mean big, 80

20 percent. So it's really hard to say what

21 capacity, you know, what our capacity will be.

22 I just don't know, you know.

1                   We haven't gotten any  
2                   documentation on anything like that.

3                   MR. BRAYMAN: You're saying like a  
4                   maximum of 350?

5                   MR. SROUR: Right, we just don't  
6                   know.

7                   MR. BRAYMAN: It's predetermined,  
8                   okay, all right. The under 21, do you have a  
9                   pending request on that?

10                  MR. SROUR: Yes, we do and we went  
11                  to the Liquor Board first before we came to  
12                  you, just because, you know, we just didn't  
13                  want to waste anyone's time if they said no.

14                  If they said yes, then we'd come  
15                  to our District 3 City Council people and tell  
16                  them our ideas.

17                  And that's one of the reasons why  
18                  we felt like we had to, because the  
19                  establishment that just opened up has hurt us  
20                  so much, and we're trying to figure out ways  
21                  to create other money.

22                  And that's one of the ways we've

1           created. Throughout the years, The Vous,  
2           Santa Fe, before I owned it, did 18 and over.  
3           The Liquor Board gave us permission. It  
4           worked very well.

5                         We had very colorful wristbands  
6           for the 21 and over. And 18, 19, 20 gets a  
7           big X on their hand. Our extra security staff  
8           walks around constantly to make sure the 18,  
9           19, 20 year olds are not drinking.

10                        If they are caught drinking,  
11           unfortunately they get escorted outside.

12                        MR. BRAYMAN: And what's the status  
13           of that request?

14                        MR. SROUR: They are going to vote  
15           on it. I don't exactly know when.

16                        MR. BRAYMAN: Well, if they vote on  
17           it, then you'd be allowed to do it, if they  
18           vote yes.

19                        MR. SROUR: Well, legally, I am  
20           allowed to have 18, 19, 20 year olds in the  
21           establishment. We don't want to, but we want  
22           their blessing if we so choose to.

1           MR. BRAYMAN: Okay, and if they  
2 voted yes, then you would have their blessing.

3           MR. SROUR: I'd have their blessing  
4 and then I'd go to the City District 3 people  
5 and tell them our goals, our ideas, and it  
6 wouldn't be seven nights a week.

7           It's more based on the bands that  
8 we have in there.

9           MR. BRAYMAN: But, at that point in  
10 time, the city, I just see some, at least with  
11 respect to the city, addressing an issue  
12 upstream if the Board voted yes, then you  
13 would come saying this is what I'm doing  
14 versus coming and asking us what our opinion  
15 is and then taking that to the Board as well.

16           MR. SROUR: Well, I guess, I could  
17 have done that. Unfortunately, we didn't have  
18 enough time, because the new people have hurt  
19 me. And this is just one avenue that we  
20 thought of.

21           We're not guaranteeing we're going  
22 to do it, even if we do get their blessing.

1                   MR. BRAYMAN: All right, so either  
2                   we deliberate that now or, cause who knows  
3                   when they're going to vote on it. Or we, I  
4                   mean can we get a commitment out of you to ask  
5                   them to, you know, stay it for a short period  
6                   of time, and we'll work you into a work  
7                   session here so we can understand it in a  
8                   different setting?

9                   MR. SROUR: You mean for tonight?

10                  MR. BRAYMAN: Yeah, I mean p-

11                  MR. SROUR: I have no problem with  
12                  that.

13                  MR. BRAYMAN: Ask staff to think  
14                  about whether we can include them in next  
15                  week's work session, before I offer that up.

16                  But I'm just trying to be timely  
17                  for you, but at the same time maybe separate  
18                  the issues. But if the Liquor Board is going  
19                  to vote on something, I mean you know how we  
20                  always like to have an opinion on things that  
21                  go to the Liquor Board.

22                  I'm just trying to preserve that

1 for the City. Let me just ask, I saw some  
2 hands, though. Did I? Did anybody, Mr.  
3 Catlin?

4 MR. CATLIN: Thank you, Mr. Mayor.  
5 Mr. Srouer, your lease on Santa Fe is coming to  
6 an end relatively soon, you have, what, about  
7 two years left?

8 MR. SROUR: Right around there,  
9 yes.

10 MR. CATLIN: You have been actively  
11 involved in trying to renegotiate a new lease,  
12 is that still ongoing?

13 MR. SROUR: I'm trying. My  
14 landlord is a skinny kind of woman.

15 (Laughter.)

16 MR. SROUR: We're talking about it.  
17 There's been a lot of issues with Ron Willoner  
18 and Barbara and I think finally they've  
19 finally resolved their problems, their issue,  
20 which I was trying to help them resolve.

21 And we finally got it resolved.  
22 And so the next step is to, you know, get a

1 new lease.

2 MR. CATLIN: Is the recent issue  
3 with the sprinkler requirement from the  
4 county, help you or hurt you with that  
5 negotiation?

6 MR. SROUR: Umm, no.

7 MR. CATLIN: Okay, thank you. With  
8 respect to The Mark, now that your capacity  
9 has increased, has that effected your hours of  
10 operation and days of operation for The Mark?

11 MR. SROUR: Not right now, no.

12 MR. CATLIN: What are your hours  
13 and days of operation for The Mark currently?

14 MR. SROUR: Eight, actually nine to  
15 1:30 on the weekdays. On the weekends, 2:30.

16 MR. CATLIN: And you're open  
17 basically six days a week?

18 MR. SROUR: No, we open, basically  
19 Wednesday, Thursday, Friday, Saturday.

20 MR. CATLIN: So you're open four  
21 evenings a week?

22 MR. SROUR: Basically, yeah.

1           Sometimes, depending on, you know, if we have  
2           a banquet or something, we might open up on  
3           Sunday or Monday.

4                       MR. CATLIN: Thank you.

5                       MR. BRAYMAN: Okay, anyone else?

6                       MR. PERRY: Mr. Mayor.

7                       MR. BRAYMAN: Mr. Perry.

8                       MR. PERRY: This has nothing to do  
9           with the liquor license, but will we ever see  
10          a sprinkler system in that building?

11                      MR. SROUR: Excuse me?

12                      MR. PERRY: Pardon me?

13                      MR. SROUR: I couldn't hear you.

14                      MR. BRAYMAN: Why don't you play by  
15          the rules, Jack?

16                      MR. PERRY: Because I know we  
17          wouldn't ask the question, and that's the only  
18          reason I'm here tonight because I'd like to  
19          know if the man is going to honor the  
20          agreement he made with us and I wouldn't sit  
21          here and make any other agreements with him  
22          because we made one over four years ago that

1 nobody has done anything with.

2 MR. BRAYMAN: Of course, you won't  
3 properly address the issue, but you will  
4 grandstand on the issue. Okay, thank you, Mr.  
5 Perry.

6 MR. PERRY: I'm glad you tell  
7 everybody exactly how I think, Mr. Mayor.  
8 Thank you very much and I don't know how I  
9 ever got to be as old as I am without having  
10 you by my side, leading me along.

11 Did he answer my question, or you  
12 could just defer.

13 MR. SROUR: Oh, I'll answer  
14 anyone's question. I have no problem.

15 MR. PERRY: Will we ever get a  
16 sprinkler system under the previous agreement?

17 MR. SROUR: I hope so. If I had  
18 the money, I'd put it in tomorrow, if I had  
19 the money.

20 MR. PERRY: If I had the money, I'd  
21 move out of College Park, but that's another  
22 story.

1                   MR. SROUR: Well, that's your  
2                   problem, not mine. I will put a sprinkler  
3                   system in if I have the money, okay? I'm  
4                   working on that.

5                   Unfortunately, with the new  
6                   establishment that's come in and it hurt us  
7                   dearly. And I'm trying every way to get some  
8                   money.

9                   I cannot afford \$75,000 to \$85,000  
10                  in a sprinkler system. I cannot do it, will  
11                  not do it. If I can afford it, I want to see  
12                  that in there.

13                  The landlord will not help me one  
14                  dime, not one dime. Not give me a break on  
15                  the rent or anything. Not one dime. She  
16                  says, Mark, that's your problem.

17                  You know, it's just tough to come  
18                  up with, you know, 75 to \$85,000.00, when the  
19                  establishment needs help.

20                  MR. BRAYMAN: Okay, Ms. Stullich.

21                  MS. STULLICH: Thank you, Mr.  
22                  Mayor. Mr. Srouer, with respect to the

1           evenings for 18 to 20 years old, I think we're  
2           going to take that up another night, and so I  
3           don't want to spend much time on it.

4                        But I did just want to say I'm not  
5           necessarily opposed to it, but I would  
6           encourage you to bring us enough information  
7           that we can really feel secure about what  
8           you're saying.

9                        So if this can work, you know, can  
10          you give us examples of places that it works,  
11          etcetera. I'm not really asking you to  
12          respond. You can, but I'm just saying, you  
13          know, please, bring us really strong evidence  
14          if you think that this is p-

15                       MR. SROUR: We'll give you the same  
16          letter we gave the Liquor Board. And  
17          basically, it's just, we'll give you the same  
18          letter that we sent to the Liquor Board.  
19          Basically stating that, you know, if 18, 19,  
20          20 year olds come in, we will give them a big  
21          X on their hand.

22                        We will have a lot of extra

1 security walking around, making sure they are  
2 not drinking. And the reason why we're doing  
3 this is because we need to generate money.

4 And the second reason is because  
5 when we have a band venue, you know, when we  
6 don't have a full crowd and, I think the 18,  
7 19, 20 year olds that go to college, deserve  
8 to see these bands that we're bringing in.

9 It's like a Birchmere or Record  
10 Theater in Towson. The 9:30 Club in D.C. We  
11 are really trying to get College Park on the  
12 map as a good place to watch a good concert,  
13 mostly for college kids.

14 MS. STULLICH: And just to be  
15 clear, you know, part of the reason that I say  
16 I'm not necessarily opposed to it, is because  
17 I would like for college students who are  
18 underage to have places to party besides at  
19 group houses and neighborhoods.

20 So, you know, I think it can be a  
21 win-win situation, but I'm just encouraging  
22 you to bring us more than, I'm not sure a

1 letter is enough.

2 You know, are there places that  
3 operate this way that you can point to as  
4 examples, or do you have, yourself, experience  
5 with it in the past p-

6 MR. SROUR: Exactly.

7 MS. STULLICH: I'm looking for a  
8 little more information than p-

9 MR. SROUR: There's three bars that  
10 do that. There's the 9:30 Club in D.C., the  
11 Record Theater in Towson, which is three  
12 blocks away from the University at Towson, and  
13 the Birchmere, that everyone wants in College  
14 Park.

15 And we are trying to become that  
16 type of venue.

17 MS. STULLICH: Okay, thank you.

18 MR. BRAYMAN: Let me just see how  
19 much we have to get into this. I actually now  
20 have seen a calendar and glad Mr. Wanuck is  
21 here as well, because if we were going to take  
22 up all the liquor licenses in mid February, we

1 need to do that this Wednesday.

2 Okay. What I, for some reason,  
3 was thinking Wednesday was a work session and  
4 we could do this next Tuesday.

5 So either we notify everyone that  
6 was here tonight, with respect to the License  
7 Holders and see, and let them, you know, come  
8 Wednesday and/or like next Tuesday, or we wait  
9 until the very end, the 26th.

10 But what I was trying to resolve  
11 with Mark is, could we ask you and we would  
12 also call down for the Liquor Board not to  
13 take any action in like the next two weeks,  
14 and see if we could put this 18 to 20 year old  
15 entrance item on our next work session.

16 Are we able to do that? Which  
17 would be next Tuesday, right? Two Tuesdays  
18 from now.

19 MR. NAGRO: This coming Wednesday  
20 is a public session. It's scheduled with the  
21 agenda prepared. The following Tuesday is  
22 work session Tuesday.

1                   And that's when this is, all of  
2                   the liquor licenses are scheduled to come back  
3                   to the Council for review.

4                   MR. BRAYMAN: So we're taking it up  
5                   the 26th?

6                   MR. NAGRO: That's correct.

7                   MR. BRAYMAN: Okay, all right.

8                   MR. NAGRO: 19th a work session, 26th  
9                   for voting session.

10                  MR. BRAYMAN: All right, let's make  
11                  sure, so then with respect to Mr. Wanuck and  
12                  bringing forward an attorney, he's not going  
13                  to have that opportunity if we do something  
14                  formally at the 26th.

15                  So, okay, all right. Well, it's  
16                  my own fault, but I got way down without any  
17                  leash grabbing me back. All right.

18                  Can we ask you to come to, can we  
19                  put this on the next work session, the 19th?

20                  MR. NAGRO: We can put it on, but  
21                  we have a long work session scheduled.  
22                  Especially with all the other liquor licenses.

1           Would it make sense to be talking to the  
2           Liquor Board and say when is this coming up on  
3           your agenda?

4                         It doesn't show on an agenda as of  
5           yet, that I'm aware of.

6                         MR. SROUR: Why don't we do it  
7           right now.

8                         MR. BRAYMAN: Because you're  
9           probably not going to get the best mind set  
10          after four hours of us sitting here. I'm  
11          quite willing, but my colleagues want to go  
12          home by 11:00 every night.

13                        So, but, well, fair enough. We  
14          can just, you know, my colleagues can chime  
15          in. I'm willing to ask that, you know, we'll  
16          make it posthaste but I'm just also trying to,  
17          as well, give, you know, Mr. Srouer an  
18          opportunity to get our opinion, but do it in  
19          a timely manner.

20                        So what do we have the agenda for,  
21          how long? How long do we know it's not  
22          scheduled for the Liquor Board?

1                   And I don't know, maybe, do one of  
2                   the Inspectors have any information on when  
3                   this would be coming up with the Board?

4                   INSPECTOR: From what I understood  
5                   and p-

6                   MR. BRAYMAN: When did you plan on  
7                   going back to them, Mark?

8                   MR. SROUR: I dropped off the  
9                   letter today. And they said p-

10                  MR. BRAYMAN: The same letter as  
11                  before p-

12                  MR. SROUR: No, they wanted a more  
13                  extensive letter saying exactly the breakdown.

14                  MR. BRAYMAN: Well, what do people  
15                  want to do? Mr. Perry.

16                  MR. PERRY: Could we contact the  
17                  Board of License Commissioners and ask them  
18                  not to take any position on this until we have  
19                  had a chance to take it under consideration?

20                  MR. BRAYMAN: Yes, we can. They  
21                  may or may not listen. But I'm also trying to  
22                  give Mr. Srouer an opportunity to have it

1 heard, whether we agree or disagree, with us  
2 quickly.

3 And we appear not to be able to do  
4 it in February.

5 MR. PERRY: Ask them to get back to  
6 us in a timely manner.

7 MR. BRAYMAN: What do you mean,  
8 it's us that would be giving them our opinion  
9 in a timely manner, Mr. Perry.

10 MR. PERRY: Right, whether or not  
11 they would postpone it until we get back to  
12 them.

13 MR. BRAYMAN: And when are we going  
14 to bring it up?

15 MR. PERRY: That depends on their  
16 answer. If they're not going to take it up  
17 until May, it doesn't make any difference to  
18 me.

19 MR. NAGRO: Mr. Mayor, let us find  
20 out. We can put it on the 19th work session,  
21 it's not an issue. But let us try to find out  
22 if we can get any information between now and

1 the end of the week.

2 MR. BRAYMAN: Well, I would prefer  
3 that we're not delaying though, at least Mr.  
4 Srour's consideration. I mean I certainly  
5 wish it had come through us first, but you  
6 know you are able to go directly to them.

7 And if we are delaying their  
8 consideration before the first Tuesday in  
9 March, then I'll try to put it on next week.  
10 And I'll be pushing my colleagues, if there's  
11 city business that needs to be attended to and  
12 if we're late, we're late.

13 MR. SROUR: Let me ask a question.  
14 What is the difference between the  
15 establishment that you're trying to get into  
16 the East Campus and then mine? They're going  
17 to be doing 18, 19, 20 year olds, when they  
18 have concerts.

19 MR. BRAYMAN: Don't know yet, they  
20 haven't talked to us about that.

21 MR. SROUR: Just keep that in mind.  
22 You all want them in here.

1 MR. BRAYMAN: We haven't taken an  
2 official position on that either.

3 MR. SROUR: Well, I've talked to  
4 many of you all, I think everyone agrees.

5 MR. BRAYMAN: But, I think you make  
6 a good point.

7 MR. SROUR: I'm just trying to help  
8 out this community, you know. The 18, 19, 20  
9 year olds need something to do also besides  
10 drink in their Fraternity Houses and where  
11 else.

12 MR. BRAYMAN: Up until the Thirsty  
13 Turtle opened, that you want to pursue this p-

14 MR. SROUR: No, I've talked about  
15 this with my managers throughout the years.  
16 Because College Park is going in a different  
17 direction.

18 And I told myself, I don't know  
19 when, but it's going to happen where all the  
20 bars are going to be 18 to get in.

21 MR. BRAYMAN: And I find it amazing  
22 that you can be drafted but can't drink.

1 MR. SROUR: Well, that's, I agree.

2 I grew up here when the drinking age was 18.

3 MR. BRAYMAN: But, Mr. Sroure, we're

4 diverging. I'm just trying to say that I'm

5 not sure, though, that the License Holders in

6 the city are Social Services now.

7 And that's just painted at

8 everyone, they are all businesses. So, what

9 we're going to try to do with the under 21

10 entrants is reach out.

11 If we're delaying it, we'll put it

12 on next week. If we're not delaying it then

13 we'll bring it up first work session in March.

14 If they were going to take it up

15 before then, if we need to, we'll special

16 session it or something.

17 Okay, best I can do and would

18 appreciate you working with us on that. We're

19 just trying to learn more about it so we can

20 make p-

21 MR. SROUR: Yeah, I was not going

22 behind, you know, the City Council's back. I

1           wanted to get their opinion first and their  
2           blessing. If they did, then I would call  
3           District 3 City Council and tell them exactly  
4           my plans.

5                       MR. BRAYMAN: Still, I think it's  
6           completely reverse logic with respect to  
7           working with the city and how we want to be  
8           apprised of these things.

9                       Because, once they give the  
10          blessing, then theoretically, there's nothing  
11          stopping you. So, it's more or less coming in  
12          saying, well, I'm doing it.

13                      I'll tell you about it, but this  
14          is what I'm doing versus giving us a chance to  
15          opinionate down at the Liquor Board.

16                      I can see why somebody might want  
17          to go right to the Liquor Board. I wish the  
18          Liquor Board had referred it back to us. But,  
19          okay, is there anything more, though, with  
20          respect to the things that we have  
21          ascertained.

22                      And so the stage is gone. You say

1 nobody could give you a clear answer, as the  
2 time line as to why it took this long, and you  
3 all are committed to continuing to work with  
4 our Code Enforcement Officers on the  
5 overcrowding issue. And the under 21 is  
6 supposed to be on another date.

7 We've covered everything, I think,  
8 correct? At least with respect to the license  
9 process. Now we just, all right, is there  
10 anybody present that wishes to testify?

11 Okay, did you have anything more,  
12 Mark?

13 MR. SROUR: Nothing.

14 MR. BRAYMAN: Okay, all right. Mr.  
15 Friedson. Mr. Friedson wants to say a few  
16 words.

17 MR. FRIEDSON: Thank you, Mr.  
18 Mayor. A few things. One, since I think  
19 we've completely belabored the 18 to 20 issue  
20 without actually even discussing the issue  
21 and its merits, really at all, I think that  
22 it's a very good idea and something that the

1 Council should seriously consider.

2 I'm looking forward to that being  
3 taken up. I think that it would alleviate a  
4 lot of issues that go on. It would provide a  
5 business with an opportunity to make money.  
6 It would allow 18 to 20 year olds an  
7 opportunity to get the good music, which the  
8 Santa Fe often times does get very good acts,  
9 without having to find creative ways to get in  
10 and be able to do it, regardless.

11 So I think that it would be a big  
12 asset to the city, to the student community  
13 and in general. And I think that it's  
14 something that should be seriously considered  
15 and I look forward to continue to talk to you  
16 about that.

17 On this issue, I heard Barack  
18 Obama today, he was on campus at Comcast  
19 Center. And he talks, as I've heard him talk  
20 many times, about the fierce urgency of now.

21 A pirated concept from Martin  
22 Luther King, Jr., and I would like to steal it

1 again, in talking about the sprinklers.

2 I think that I would like to see  
3 this be taken as an issue of the fierce  
4 urgency of now. I've heard, you know, some  
5 issues might be related, might not be related.  
6 I think it is related because the crowd  
7 control issues and other issues of people  
8 being able to get out and other things often  
9 times are directly related to the alcohol and  
10 to the venue.

11 I am a little skeptical that it's  
12 the economic issues that are caused by Thirsty  
13 Turtle's opening that have caused the  
14 sprinklers not to be purchased.

15 I don't, I don't want to call  
16 people out or anything like that, but this is  
17 an issue, as was heard, was four years old.  
18 An issue that, while Thirsty Turtle wasn't  
19 open, and the business conceivably would have  
20 increased their capacity and the money that  
21 they were making while that establishment,  
22 Lupo's, prior to it, wasn't there, would have

1 increased the amount of money they were  
2 receiving and would have been able to use that  
3 extra money to purchase the sprinklers.

4 MR. BRAYMAN: Please wrap up.

5 MR. FRIEDSON: I am wrapping up. I  
6 just want to say that I'm a little skeptical  
7 about that reasoning and I would hope that the  
8 Council uses all that it can to get  
9 sprinklers.

10 Because I am afraid that it will  
11 take a catastrophe, a death or a serious  
12 injury until this, there actually is the  
13 political will on the Council and in the  
14 community and by the business owner to  
15 actually get the sprinklers in.

16 So I appreciate it and thank you.  
17 I'm done.

18 MR. BRAYMAN: Okay, thank you, Mr.  
19 Friedson. Anyone else wants to testify?  
20 Okay, seeing none, so all the licenses,  
21 including the Applicant's that we've heard,  
22 are going to be on the work session the 19th.

1                   And for action, the 26th. I guess,  
2                   with respect to Mr. Wanuck, we'll do our best  
3                   next Tuesday to resolve, if anyone is going to  
4                   challenge it.

5                   Maybe we can give you word or you  
6                   can watch us on cable, because it is now on  
7                   cable, to give you some sense do you need to  
8                   pay an attorney to come back.

9                   I hope you don't. Okay, all  
10                  right. Then, yeah but I was going to declare  
11                  the hearing as held and get off the record,  
12                  and then ask the Inspectors to come up, okay?

13                  So, with that, I'll declare the  
14                  hearing as to have been held. Okay? And with  
15                  that then, at least from the hearing  
16                  proceedings we're adjourned.

17                  (Whereupon, the proceedings in the  
18                  above-entitled matter were concluded at 11:18  
19                  p.m.)

20

21

22

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