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| City%20Seal2 | **Haverhill** |
| License Commission, Room 118  Phone: 978-374-2312 Fax: 978-373-8490  cityclerk@cityofhaverhill.com |

**License Commission Minutes**

**Thursday, January 5, 2023, at 6:00 p.m.-City Council Chambers**

**VIRTUAL and in person meeting**

Attending: Chairman Joseph Edwards, Commissioner Laura Angus, Commissioner Driscoll, Lic. Clerk Jennifer Sanchez, City Clerk Linda Koutoulas, Captain Wayne Tracy, HPD, Sgt Kevin Lynch, HPD.

1. **Pledge of Allegiance**
2. **Approval of the Minutes**
3. APPROVAL OF THE MINUTES OF DECEMBER 1, 2022
4. APPROVAL OF THE MINUTES OF DECEMBER 16, 2022

**Items 2A and 2B were taken together. Motion to approve the minutes of December 1, 2022, and December 16, 2022, made by Comm Angus, seconded by Commissioner Driscoll. No public comment. Vote unanimous, motion passed.**

1. **Continued Business**

no schedule

1. **Miscellaneous Applications/Requests**

No Schedule

1. **One Day Applications**
2. ALLISON GAGNE, APPLICANT

NECC

100 ELLIOTT STREET

**APPLICATION FOR ONE DAY BEER AND WINE FOR A BUSINESS EVENT AT NECC ON JANUARY 26, 2023, FROM 5PM TO 8PM.**

Allison Gagne did appear for this application, but it was already heard. HPD and License Commission do not have any concerns with this applicant. She has had several one-day liquor licenses and had no problems. HPD brought their portion of the application signed with their approval.

**Motion to accept this application made by Commissioner Driscoll, Seconded by Commissioner Angus. No public comment. Vote unanimous, motion passed.**

1. **Business Certificates**

No Schedule

1. **Entertainment Applications**
2. **Kyle Bell, Manager**

Nive Seven Eight Bar LLC d/b/a Nine Seven Eight Bar

103 Washington Street

**APPLICATION FOR NEW ENTERTAINMENT LICENSE PENDING ENTERTAINMENT ZONING APPROVAL.**

Items 7A, 8A, 9A , 10A were taken together. These are applications are for a new entertainment application, a new common victualler, and a new section 12 general on premises application. Kyle Bell and Nickolas Murrey appeared on these applications. Kyle Bell stated that he wants to have more focus on more live local bands. The entertainment application did not list the number of band members and the number of comedians. Commissioner Angus reminded Kyle Bell that these numbers are counted against the occupancy number and asked how many of each he was asking for. Kyle stated he wants to have 5 band members and 1 comedian. Crystal Pannoni spoke on this matter. Crystal said that Kyle is being manipulated by the former owner Bernie Goulet and that Bernie will be running the establishment even though Kyle Bell is applying.

**Motion to approve pending entertainment zoning approval and signatures of inspection to have 5 band members and 1 comedian by Commissioner Driscoll, seconded by Commissioner Angus. Crystal Pannoni spoke on this matter. Vote unanimous**

1. **Common Victualler Applications**
2. **Kyle Bell, Manager**

Nine Seven Eight Bar LLC d/b/a Nine Seven Eight Bar

103 Washington Street

**APPLICATION FOR NEW COMMON VICTUALLER LICENSE PENDING BUSINESS OCCUPANCY.**

Items 7A, 8A, and 9 A, 10A were taken together. They are applications for a new entertainment license, a new common victualler license and a new application for section 12 general on premises. Commissioner Angus spoke and asked what kind of food they will be serving. Kyle Bell stated that they will not be serving food. He applied for the common victualler license because they always had a common victualler and he thought they needed one. Commissioner Angus told Kyle Bell if they are not serving food they do not need a common victualler license.

**Common Victualler license not needed. There was no vote on this matter.**

1. **Outdoor Dining Applications**

NO SCHEDULE

1. **Alcohol/ABCC Applications**
2. **KYLE BELL, MANAGER**

NINE SEVEN EIGHT BAR LLC d/b/a NINE SEVEN EIGHT BAR

103 WASHINGTON STREET

**APPLICATION FOR NEW SECTION 12 GENERAL ON PREMISES ALL ALCOHOL PENDING BUSINESS OCCUPANCY AND SIGNATURES OF INSPECTION.**

Items 7A, 8A, and 9A, 10A were taken together. They were applications for a new entertainment license, application for a new common victualler license and application for a new section 12 general on premises all alcohol. Commissioner Angus asked Kyle Bell what steps he has taken to make sure the old problems of Moonshiners will not continue. Kyle Bell stated that he wants to make this a classier establishment and focus more on local music and bands. Kyle stated that he will have more professional security staff. Kyle said that he will spend a minimum of 40 hours per week and most likely more hours at the establishment. His partner Nickolas Murrey is essentially an investor and Kyle Bell will be primarily operating and managing the bar.

HPD stated that Kyle Bell was mostly cooperative with them when he was working at Moonshiner’s in the past However there was a serious event, a sexual assault in which Kyle Bell was not cooperative with them. HPD stated that they wanted to speak with Kyle Bell on this matter and that he obtained an attorney and did not speak with them about this incident. Kyle stated that he was not aware of the assault.

Commissioner Angus spoke and voiced some concern about this application not reflecting the ABCC investigation Kyle Bell was involved in while employed at Moonshiners in regard to filling bottles and the HPD investigation in regard to the sexual assault. She also asked him where he was currently employed. He stated he was employed at the Gateway. Commissioner Angus told Kyle Bell that that he also needs to update the employment information on his application as well as the investigations he was involved in. Commissioner Angus also asked him what his involvement is in Whiskey Girl Country Bar LLC. He stated that he did not know anything about that. The mass corporation search shows that Kyle Bell is a member of this corporation along with Bernie Goulet since 2020. Commissioner Angus also asked what the hours would be and Kyle Bell stated the hours would be Sunday to Thursday and Saturday 6pm to 1am and Friday 6pm to 2am. Commission Angus also asked when last call was and when liquor sales stopped. Kyle Bell stated that 1 hour before closing is both last call and liquor sales close.

Crystal Pannoni spoke on this matter. Crystal is the former manager at Moonshiner’s and worked with Kyle Bell. Crystal stated that Kyle Bell is being manipulated by the Moonshiner’s former owner Bernie Goulet. She stated that even though Kyle Bell is applying for this license that Bernie Goulet will be funding and running this establishment behind the scenes. She also stated that Kyle Bell was aware of the sexual assault that occurred, and he did nothing. She is concerned that the illegal activities will continue, and this is a threat to public safety.

**Motion to approve this application pending updating of application in the areas of employment history, involved investigations, entertainment license completed with 5 band members and 1 comedian and signatures of inspection made by Commissioner Driscoll. Seconded by Commissioner Angus. Crystal Pannoni spoke on this. Vote unanimous, motion passed.**

1. **Motor Vehicle Applications**

NO SCHEDULE

1. **Carry In License Applications**

No Schedule

1. **Item For Discussion**
2. **Increase late fees for car dealer renewals**

Prices currently range from $50- $150.

The late fee structure for late car dealer license renewals is currently $50 if renewed in January, $100 if renewed in February and $150 if renewed in March. There are currently outstanding car dealers that have not renewed.

Commissioner Angus stated that we should send them certified letters to be in compliance or they would not be able to open for business after January 13, 2023.

**Motion to send certified letters to all car dealers out of compliance with inspectional services and city clerk’s office renewals, that they must be in compliance with both by January 13, 2023, or they cannot open for business after that date until they are in compliance, motion by Commissioner Angus, seconded by Commissioner Driscoll. No public comment. Vote unanimous, motion passed.**

1. **Common Victualler licenses not in compliance**

There are currently common victualler licenses that are expired and not in compliance. Commissioner Driscoll said that we should have the same process with the Common Victualler licenses not in compliance that we do with the car dealers that are not in compliance. We should send certified letters to all out of compliance with inspectional services and city clerk’s office renewals, that they must be in compliance with both by January 13, 2023, or they cannot open for business after that date until they are in compliance

**Motion to send certified letters to all common victualler licenses out of compliance with inspectional services and city clerk’s office renewals, that they must be in compliance with both by January 13, 2023, or they cannot open for business after that date until they are in compliance, motion by Commissioner Driscoll, seconded by Commissioner Angus. No Public comment. Vote unanimous, motion passed.**

1. **Irwin Edwards, Manager**

Irwin Enterprises LLC d/b/a East West Tavern

27 Lafayette Square

**LLA VOTED ON DECEMBER 16, 2022, TO HAVE CAMERA SYSTEM WORKING BY DECEMBER 23, 2022. CAMERA SYSTEM IS NOT WORKING. (SCHEDULED TO BE REPAIRED ON JANUARY 5, 2023)**

Irwin Edwards appeared for this. Irwin Edwards stated that the new cameras were installed today. Due to the holidays ADT company was not able to schedule until January 5, 2023. Irwin Edwards showed the license commission and HPD that he has live footage on his cell phone form the cameras.

Sargent lynch took a closer look at the live footage from the phone and said that HPD is satisfied the new cameras they cover all the areas needed and they have a 30-day loop.

Irwin Edwards asked the license commission if he was able to have the early closing from the Dec 16 special meeting lifted since he now has his cameras in working order and hired additional security. Commission Angus spoke on this and told him that the closing early was a factor of the circumstances and incidents that were listed in the December 16 special meeting. Irwin Edwards said that he understood.

**Motion was made by Chairman Edwards to take no further action on this matter. It was seconded by Commissioner Angus. No Public hearing. Vote Unanimous.**

1. **Show Cause Hearing**

No Schedule

1. **Public Participation**

No Schedule

1. **Other Business**

No Schedule

1. **Adjournment**

Motion to adjourn was made at 6:55 pm by Commissioner Driscoll , seconded by Commissioner Angus. Vote unanimous.