

In The Matter Of:

*Re: An Ordinance Requiring Entertainment Licenses for
Indoor Recreation or Amusement Facilities*

TOWN COUNCIL PUBLIC HEARING

November 14, 2017

BCT Reporting LLC

PO Box 1774

Bristol, CT 06010

860.302.1876

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TOWN OF WEST HARTFORD

TOWN COUNCIL PUBLIC HEARING

November 14, 2017, 8:14 p.m.,

Legislative Chambers

Re: An Ordinance Requiring Entertainment
Licenses for Indoor Recreation or Amusement
Facilities.

1 A p p e a r a n c e s :

2 T o w n C o u n c i l M e m b e r s P r e s e n t :

3 MAYOR SHARI CANTOR

4 JUDY CASPERSON

5 LEON DAVIDOFF

6 DENISE HALL

7 CHRIS WILLIAMS

8 BETH KERRIGAN

9 BEN WENOGRAD

10 DALLAS DODGE

11

12 MATTHEW HART

13 Town Manager

14

15 PATRICK ALAIR

16 Corporation Counsel

17

18 KIMBERLY J. BONEHAM

19 Deputy Corporation Counsel

20

21 ESSIE LABROT

22 Town Clerk

23

24

25

1 PRESIDENT CANTOR: Calling to
2 order the 7:15 public hearing, an ordinance
3 requiring entertainment licenses for indoor
4 recreation or amusement facilities.

5 Rollcall, Ms. Labrot.

6 MS. LABROT: Mr. Barnes.

7 COUNCILOR BARNES: Present.

8 MS. LABROT: Ms. Cantor.

9 PRESIDENT CANTOR: Here.

10 MS. LABROT: Ms. Casperson.

11 COUNCILOR CASPERSON: Present.

12 MS. LABROT: Mr. Davidoff.

13 COUNCILOR DAVIDOFF: Here.

14 MS. LABROT: Mr. Dodge.

15 COUNCILOR DODGE: Here.

16 MS. LABROT: Ms. Hall.

17 COUNCILOR HALL: Here.

18 MS. LABROT: Ms. Kerrigan.

19 COUNCILOR KERRIGAN: Here.

20 MS. LABROT: Mr. Wenograd.

21 COUNCILOR WENOGRAD: Here.

22 MS. LABROT: Mr. Williams.

23 COUNCILOR WILLIAMS: Here.

24 PRESIDENT CANTOR: The

25 rollcall is done. I just want to make

1 sure -- thank you.

2 Okay. Mr. Hart, would you
3 like to introduce this ordinance?

4 MR. HART: Thank you, Mayor.

5 As we stated earlier, this
6 ordinance or this amendment is related to the
7 previous ordinance regarding experiential
8 zoning. If the Council were to adopt the
9 experiential zoning ordinance in its current
10 form, or similar form, it would require an
11 amendment to our entertainment ordinance.

12 For this ordinance Attorney
13 Boneham is going to present, make a formal
14 presentation, and Mr. McGovern and Assistant
15 Chief McCue are also here for any questions
16 councilors may have.

17 MS. BONEHAM: Thank you. For
18 the record, Kimberly Boneham, Deputy
19 Corporation Counsel.

20 As we touched on in the last
21 public hearing this is essentially a
22 technical amendment to the current
23 entertainment license ordinance that we have.
24 Basically as Mr. Hart said, if you were to
25 adopt the ordinance on indoor recreation and

1 amusement facilities then you would then be
2 presented with this ordinance, which if
3 adopted would require indoor recreation or
4 amusement facilities to receive an
5 entertainment license.

6 The application would be
7 through the police department and the
8 entertainment license would be required
9 regardless of whether amplified entertainment
10 is provided. So again, it's just a minor
11 change to an existing ordinance that you
12 have.

13 PRESIDENT CANTOR: Thank you,
14 Ms. Boneham. That was all in one breath.

15 Any questions before we -- I
16 think we all would like to hear from at least
17 the Assistant Chief McCue on this. And I
18 know Mrs. Hall was asking on a previous, how
19 this might apply and how, you know, how
20 important this is.

21 ROBERT McCUE: Good evening,
22 Bob McCue, Assistant Chief of Police. I'd be
23 glad to answer any questions you have on it.

24 PRESIDENT CANTOR: Mrs. Hall.

25 COUNCILOR HALL: I'm just

1 curious as to what your staff did to analyze
2 this? How you think we are positioned to
3 control any issues? How if this was approved
4 would it be any different than what's going
5 on at another establishment in town that we
6 all have issues with it?

7 ROBERT McCUE: Yeah. As
8 Kimberly pointed out, it's an ordinance that
9 was passed about a year ago. It's actually a
10 very straightforward, easy process. We've
11 issued probably about 16 or 17 licenses.
12 Folks come in. The license is free. It's
13 there forever. It's nontransferable. New
14 owners would have to come in and get it.

15 We've had -- with all the ones
16 we've licensed we haven't had any issues. We
17 are certainly working through one of the
18 issues we're having with one business in
19 town.

20 It would work exactly the same
21 way as -- that they would come in, apply for
22 the license. They would basically
23 automatically get the license. We would
24 monitor it. If there was an issue they would
25 be issued a warning. We would then work with

1 them to address any issues.

2 If that didn't address the
3 issues they would then become fined, have to
4 come up with a plan to mediate -- or mediate
5 any issues in conjunction with us. If that
6 didn't work we would ultimately move to pull
7 their license.

8 COUNCILOR HALL: So then do
9 you think our ordinance gives the Town more
10 teeth than what we are dealing with with
11 another institution that we have not been
12 able to --

13 MR. McCUE: The entertainment
14 ordinance clearly has given us another tool
15 to try to and address some of the concerns
16 that the neighborhood has had. That follows
17 the other ordinance that you passed in the
18 past about the no-cover charges and some of
19 the other no-bottle service. And this was
20 certainly another tool that was put in.

21 COUNCILOR HALL: Thank you.

22 PRESIDENT CANTOR: Thank you,
23 Mrs. Hall. Anybody --

24 MR. HART: Mayor? I would
25 just like to add to Assistant Chief McCue's

1 response on that last question. Folks will
2 recall in committee we adjusted the closing
3 time for establishments that would be subject
4 to this provision. So it wouldn't be 1 a.m.
5 It could be no later than midnight.

6 So that is something we did in
7 part following our discussions with the
8 police, thinking about staffing we have
9 available, et cetera.

10 So any establishment that
11 would be subject to the experiential zoning
12 ordinance, you know, could not be open from
13 the hours between midnight and 5 a.m.,
14 different from some other establishments in
15 town.

16 PRESIDENT CANTOR: And also no
17 DJ, too.

18 MR. HART: Correct.

19 PRESIDENT CANTOR: There was a
20 concern that the police specifically shared.

21 MR. McCUE: Yeah. As you're
22 well aware, especially in the Center there's
23 different waves of patrons that come in.

24 There's the early evening dining group, and
25 then there's a group that usually comes in

1 starting around ten or eleven o'clock at
2 night. It's really just coming out for the
3 entertainment and the alcohol.

4 The police department does
5 have a concern about large venues where
6 people have been drinking and then they're
7 released at one or two o'clock in the
8 morning. So our suggestions were to put that
9 in to try and address that concern,
10 especially because most of these places would
11 be very close to residential units.

12 PRESIDENT CANTOR: Thank you.
13 Anybody else have questions?

14
15 (No response.)

16
17 PRESIDENT CANTOR: No? Okay.
18 All right.

19 We have no letters to read
20 into the record.

21 Is there a sign-up sheet?
22 Blank. Okay. So Boyd, would
23 you like to come up and speak.

24 BOYD SULLIVAN: Sure.

25 PRESIDENT CANTOR: State your

1 name and address for the record.

2 BOYD SULLIVAN: Conveniently
3 I'm here for the third time to discuss, I
4 guess, we're using codenames for Los Imperios
5 tonight. There needs to be more uniformity.

6 PRESIDENT CANTOR: Just state
7 your name and address for the record.

8 BOYD SULLIVAN: My name is
9 Boyd Sullivan and I live on Farmington Avenue
10 within 17 calendar meters from Los Imperios,
11 by the way.

12 PRESIDENT CANTOR: What's the
13 address?

14 BOYD SULLIVAN: Eighty-seven
15 Farmington Avenue.

16 PRESIDENT CANTOR: Thank you.

17 BOYD SULLIVAN: And it's
18 amusing the amount of municipal assets that
19 have been allocated to the closure of a place
20 like this. I mean, to my knowledge you're
21 heading for a hundred thousand, or over a
22 hundred thousand dollars in fees which --
23 purportedly none of which have been collected
24 at this point.

25 And I'm wondering why

1 establishments where more egregious sited
2 events historically have been presented have
3 not been fined or pressured somehow
4 financially into closure, or some kind of
5 regulatory compliance, which is a little more
6 onerous than they would hope to have put upon
7 them.

8 PRESIDENT CANTOR: Thank you,
9 Mr. Sullivan. The Town Manager can answer
10 your question -- or I don't know. Maybe he
11 can't. Would you like to address
12 Mr. Sullivan's --

13 MR. HART: Certainly. And I
14 think, you know, it's attributable to the
15 complaints we received and the concerns we've
16 received from our residents. And it's really
17 incumbent upon us, our public safety
18 operation to address those concerns. And we
19 stick within the letter of the law and we try
20 to be fair and responsible.

21 PRESIDENT CANTOR: Thank you.
22 And we have been reaching out
23 to the State a lot, because they control a
24 lot of the -- they have a lot of the control
25 on the liquor license and that is something

1 that we've been diligent about doing. And
2 we're using all the tools available at our
3 disposal.

4 MR. HART: Correct.

5 PRESIDENT CANTOR: Okay.
6 Anything else? Anybody else that would like
7 to speak to the subject of this public
8 hearing?

9
10 (No response.)

11
12 PRESIDENT CANTOR: All right.
13 If that is the case, then we will close the
14 public hearing.

15
16 (Whereupon, the above
17 proceedings were concluded at 8:24 p.m.)

18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

I hereby certify that the foregoing 12 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the Public Hearing in RE: AN ORDINANCE REQUIRING ENTERTAINMENT LICENSES FOR INDOOR RECREATION OR AMUSEMENT FACILITIES, held before the West Hartford Town Council, at Town Hall, 50 South Main Street, Room 314, West Hartford, Connecticut, on November 14, 2017.



Robert G. Dixon, CVR-M 857
Notary Public
BCT Reporting, LLC
PO Box 1774
Bristol, Connecticut 06011
My Commission Expires: 6/30/2020