

BALTIMORE CITY BOARD OF LIQUOR LICENSE COMMISSIONERS

HEARING DISPOSITIONS

**THURSDAY, JUNE 14, 2018
100 N. HOLLIDAY STREET, ROOM 215
BALTIMORE, MD 21202**

**Elizabeth A. Hafey, Chairperson
Aaron Greenfield, Commissioner
Harvey Jones, Commissioner**

Regular Item – Application to Transfer Ownership

11:00 AM

Higgy's, LLC, t/a Higgy's

License # LBD7 374

1184 Cleveland Street, Baltimore MD 21230

10th Councilmanic District (Reisinger)

Attorney for Applicant: Peter Prevas

Application to transfer ownership of a Class “BD7” Beer, Wine & Liquor License to Donald Higdon, Anthony Scardina, Jr., and Anthony Scardina, III.

Public Notice of Transfer: Establishment was posted on June 26, 2017 and checked on July 6, 2017 thus meeting the 10-day posting rule. One letter of support and one letter of opposition was received.

Corporate Standing: Higgy's, LLC is an active Maryland corporation in good standing as of July 20, 2017.

Location Violation History: None since 2006.

Witnesses: Peter Prevas – Attorney, Donald Higdon – Applicant, Joann Martin – BLLC Agent Inspector, Sherry Scible – Neighbor, Elisea Williams – Neighbor, Mark Fosler – BLLC Chief Inspector

Disposition: The Board has postponed this matter for a future hearing date.

Regular Item – Application to Transfer Ownership

11:00 AM

At the Port, LLC, t/a Pickles at the Port

License # LBD7 423

6500 Riverview Avenue, Baltimore MD 21222

1st Councilmanic District (Cohen)

Attorney for Applicant: N/A

Application to transfer ownership of a Class “BD7” Beer, Wine & Liquor License requesting outdoor table service to Robert Reddinger.

Public Notice of Transfer: Establishment was posted on May 14, 2018 and checked on May 23, 2018 thus meeting the 10-day posting rule. No letters of opposition or support were received by the Board at this time.

Corporate Standing: At the Port, LLC is an active Maryland corporation in good standing as of May 23, 2018.

Location Violation History: None.

June 14, 2018

Witnesses: Robert Reddinger – Applicant, Becky Witt – Attorney for the St. Helena Community Association, Shirley Gregory – President of the St. Helena Community Association (City)

Disposition: The Board has approved the transfer of the license to the applicant(s) by a 3-0 vote.

Regular Item – Application to Transfer Ownership and Location 11:00 AM

Smertz, LLC, t/a Blairs on Hudson License # LBD7 067
2822 Hudson Street, Baltimore MD 21224 1st Councilmanic District (Cohen)

Attorney for Applicant: Gary Maslan

Application to transfer ownership and location of a Class “BD7” Beer, Wine & Liquor License presently located at 3123 Elliott Street to 2822 Hudson Street to E. Michelle Jackson and Gloria Tyler.

Public Notice of Transfer: Establishment was posted on May 23, 2018 and checked on June 4, 2018 thus meeting the 10-day posting rule. No letters of opposition or support were received by the Board at this time.

Corporate Standing: Smertz, LLC is an active Maryland corporation in good standing as of May 31, 2018.

Location Violation History: None.

Witnesses: Gary Maslan – Attorney, E. Michelle Jackson – Applicant, Theodore Stelzenmuller – Co-Owner

Disposition: The Board has approved the transfer of the license to the applicant(s) by a 3-0 vote.

Regular Item – Application to Transfer Ownership and Location 11:00 AM

Blair Hospitality, LLC, t/a Jack’s Bistro License # LD 018
3123 Elliott Street, Baltimore MD 21224 1st Councilmanic District (Cohen)

Attorney for Applicant: Gary Maslan

Application to transfer ownership and location of a Class “D” Beer, Wine & Liquor License presently located at 2822 Hudson Street to 3123 Elliott Street to Theodore Stelzenmuller.

Public Notice of Transfer: Establishment was posted on May 23, 2018 and checked on June 4, 2018 thus meeting the 10-day posting rule. No letters of opposition or support were received by the Board at this time.

Corporate Standing: Blair Hospitality, LLC is an active Maryland corporation in good standing as of May 31, 2018.

Location Violation History: None.

Witnesses: Gary Maslan – Attorney, Theodore Stelzenmuller – Applicant, E. Michelle Jackson – Co-Owner

Disposition: The Board has approved the transfer of the license to the applicant(s) by a 3-0 vote.

Violations Docket – Violation of Rule 4.01(a) & AE Rule 3.05(a) 10:00 AM

419 E. Baltimore St. Inc., t/a Jewel Box License # LBD7 131/ AE 011 (2017)
419 E. Baltimore Street, Baltimore MD 21202 11th Councilmanic District (Costello)

Attorney for Applicant: Melvin Kodenski

Alleged violation of Rule 4.01(a) (Sales to Minor) when at approximately 10:55 p.m. on March 14, 2018 members of the Baltimore City Police Department & BLLC Inspectors conducted a random, joint investigation of selling alcohol to minors. An undercover, underage Baltimore City Police Cadet entered the establishment and was served the alcoholic beverages they ordered.

Alleged violation of AE Rule 3.05(a) (Incorporation of Liquor License Rules and Regulations to Applicable Licensees) when at approximately 10:55 p.m. on March 14, 2018 members of the Baltimore City Police Department & BLLC Inspectors conducted a random, joint investigation of selling alcohol to minors. An undercover, underage Baltimore City Police Cadet entered the establishment and was served the alcoholic beverages they ordered.

Corporate Standing: 419 E. Baltimore St., Inc. is an active Maryland corporation in good standing as of May 6, 2018.

Location Violation History: None since 2010.

Witnesses: Melvin Kodenski – Attorney, Paul Gordon – Licensee, Detective Greenhill – Baltimore City Police Officer, John Chrissomallis – BLLC Agent Inspector, Andy Perez – BLLC Inspector, Cadet Bradford-Day – Baltimore City Police Cadet

Disposition: The Board has found that the licensee violated Rule 4.01(a) & AE Rule 3.05(a) on March 14, 2018 and imposed a fine of \$700 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Rule 4.01(a) 10:00 AM

SCS Holdings, LLC, t/a Social Pub & Pie License # LBD7 191
25 E. Cross Street, Baltimore MD 21230 11th Councilmanic District (Costello)

Attorney for Applicant: Frank Shaulis

Alleged violation of Rule 4.01(a) (Sales to Minor) when at approximately 11:55 p.m. on March 14, 2018 members of the Baltimore City Police Department & BLLC Inspectors conducted a random, joint investigation of selling alcohol to minors. An undercover, underage Baltimore City Police Cadet entered the establishment and was served the alcoholic beverages they ordered.

Corporate Standing: SCS Holdings, LLC is an active Maryland corporation in good standing as of May 1, 2018.

Location Violation History: March 30, 2017 – Violation of Rule 4.8(a) (Relations with Wholesalers) and Art. Bev. Art. § 6-3611(b)(3) (Storage of Alcohol) – Fined \$625
August 25, 2016 – Violation of Rule 4.01(a) (Sales to Minors) –

Fined \$375

Witnesses: Frank Shaulis – Attorney, Scott Schlepner – Licensee, Andy Perez – BLLC Inspector, John Chrissomallis – BLLC Agent Inspector, Cadet Bradford-Day – Baltimore City Police Cadet

Disposition: The Board has found that the licensee violated Rule 4.01(a) on March 14, 2018 and imposed a fine of \$600 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Rule 4.01(a)

1:00 PM

Song Choe Enterprises, Inc., t/a OK Tavern
2301 E. Biddle Street, Baltimore MD 21213

License # LBD7 201
13th Councilmanic District (Sneed)

Attorney for Applicant: John Pica

Alleged violation of Rule 4.01(a) (Sales to Minor) when at approximately 9:40 p.m. on February 15, 2018 members of the Baltimore City Police Department & BLLC Inspectors conducted a random, joint investigation of selling alcohol to minors. An undercover, underage Baltimore City Police Cadet entered the establishment and was served the alcoholic beverages they ordered.

Corporate Standing: Song Choe Enterprises, Inc. is an active Maryland corporation in good standing as of April 18, 2018.

Location Violation History: June 1, 2017 – Violation of Rule 4.20(c)(ii) (Class BD7 Licensees: Open and Operating at all Times) – Fined \$1,125 & suspended 1 day

Witnesses: John Pica – Attorney, Chris Choe – Licensee, Detective Greenhill – Baltimore City Police Department, Darryl Clark – BLLC Agent Inspector, John Chrissomallis – BLLC Agent Inspector, Cadet Harris – Baltimore City Police Cadet

Disposition: The Board has found that the licensee violated Rule 4.01(a) on February 15, 2018 and imposed a fine of \$500 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Rule 3.12, Rule 3.12, and Rule 3.12

1:00 PM

Ecstasy Bar and Restaurant, LLC, t/a My Cousin Place
3925-27 E. Lombard Street, Baltimore MD 21224

License # LBD7 216
2nd Councilmanic District (Scott)

Attorney for Applicant: Melvin Kodenski

Alleged violation of Rule 3.12 (General Welfare) when at approximately 11:52 p.m. on April 7, 2018 members of the BLLC responded to the establishment as a result of a 311 complaint for loud music. Upon arrival, the inspector was able to hear loud music coming from the establishment and informed the manager about the music and patrons outside the establishment.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 12:25 a.m. on April 8, 2018 members of the BLLC responded to the establishment as a result of a 311 complaint for loud music. Upon arrival, the inspector was able to hear loud music coming from the establishment and informed the manager about the music.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 11:12 p.m. on April 20, 2018 members of the BLLC were conducting an inspection at a nearby establishment. During the inspection, the inspector was able to hear loud music coming from the establishment and informed the manager about the music. After completing the inspection at the nearby establishment, the loud music was still loud enough to be heard outside the establishment.

Corporate Standing: Ecstasy Bar and Restaurant, LLC is an active Maryland corporation in good standing as of May 30, 2018.

Location Violation History: January 19, 2017 – Violation of Rule 4.01(a) (Sales to Minors) – Fined \$1,125
December 15, 2016 – Violation of Rule 3.12 (General Welfare) – Fined \$625

Witnesses: Melvin Kodenski – Attorney, Blanca Pesquera – Licensee, Andy Perez – BLLC Inspector, Mark Fosler – BLLC Chief Inspector, John Chrissomallis – BLLC Agent Inspector

Disposition: The Board has found that the licensee violated Rule 3.12 on April 7, 2018, Rule 3.12 on April 8, 2018, and Rule 3.12 on April 20, 2018, and imposed a fine of \$750 and an administrative fee of \$125, both payable within 30 days.

**Violations Docket – Violation of Rule 4.14(a), Rule 3.09(b), Rule 3.03(a), 1:00 PM
and Rule 3.03(c)**

Birdland Sports Bar & Grill, LLC, t/a Birdland Sports Bar & Grill

6317-19 Belair Road, Baltimore MD 21206

License # LB 164

2nd Councilmanic District (Scott)

Attorney for Applicant: N/A

Alleged violation of Rule 4.14(a) (Live Entertainment without Authorization) when at approximately 12:10 a.m. on April 14, 2018 members of the Social Club Task force (including the Baltimore City Police Department, Housing Department, Health Department, Fire Department, & BLLC) conducted an inspection on the establishment. Upon inspection, inspectors observed a live disc jockey playing music within the establishment, without the privilege to provide live entertainment on the liquor license.

Alleged violation of Rule 3.09(b) (Restroom Facilities and Health Regulations) when at approximately 12:10 a.m. on April 14, 2018 members of the Social Club Task force (including the Baltimore City Police Department, Housing Department, Health Department, Fire Department, & BLLC) conducted an inspection on the establishment. Upon inspection, inspectors observed that the kitchen area was unsanitary and determined the establishment should be closed

Alleged violation of Rule 3.03(a) (Records) when at approximately 12:10 a.m. on April 14, 2018 members of the Social Club Task force (including the Baltimore City Police Department, Housing Department, Health Department, Fire Department, & BLLC) conducted an inspection on the establishment. Upon arrival, members of the BLLC

requested a copy of the establishment's alcoholic beverage invoice records which were not provided.

Alleged violation of Rule 3.03(c) (Records) when at approximately 12:10 a.m. on April 14, 2018 members of the Social Club Task force (including the Baltimore City Police Department, Housing Department, Health Department, Fire Department, & BLLC) conducted an inspection on the establishment. Upon arrival, members of the BLLC requested a copy of the establishment's employee records which were not provided.

Corporate Standing: Birdland Sports Bar & Grill, LLC is an active Maryland corporation not in good standing as of May 30, 2018.

Location Violation History: None.

Witnesses: N/A

Disposition: This matter has been postponed for a future hearing date.

Violations Docket – Violation of Alc. Bev. Art. § 12-1101.1(d)(2)(iii)2, Alc. Bev. Art. § 12-1101.1(e), Rule 4.16, Rule 3.12, Alc. Bev. Art. § 12-1101.1(d)(2)(iii)3, and Rule 4.16

Lindy Promotions, Inc., t/a Lindy Promotions License # PTP 011
3645 Beach Drive Boulevard, Baltimore MD 21037 11th Councilmanic District (Costello)

Attorney for Applicant: Stephan Fogleman

Alleged violation of Alc. Bev. Art. § 12-1101.1(d)(2)(iii)2 when at approximately 12:28 p.m. on March 9, 2018 members of the BLLC received an e-mail from community representatives concerning the event “Federal Hill Irish Stroll” scheduled for March 10, 2018. The promoter was promoting the establishment T/a One Star Country Club as a participant of the event, but a review of the documents from Department of Transportation and BLLC determined that this establishment was not listed on the issued permits.

Alleged violation of Alc. Bev. Art. § 12-1101.1(e) when at approximately 12:28 p.m. on March 9, 2018 members of the BLLC received an e-mail from community representatives concerning the event “Federal Hill Irish Stroll” scheduled for March 10, 2018. The promoter was promoting the establishment T/a One Star Country Club as a participant of the event, but a review of the documents from Department of Transportation and BLLC determined that this establishment was not listed on the issued permits.

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 12:28 p.m. on March 9, 2018 members of the BLLC received an e-mail from community representatives concerning the event “Federal Hill Irish Stroll” scheduled for March 10, 2018. The promoter was promoting the establishment T/a One Star Country Club as a participant of the event, but a review of the documents from Department of Transportation and BLLC determined that this establishment was not listed on the issued permits.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 3:00 p.m. on March 10, 2018 members of the BLLC responded to the Unit Block of East Cross Street to monitor the operation of the event “Federal Hill Irish Stroll”. Upon arriving at the

location, the inspector observed patrons, who were believed to be participants of the event, exit licensed establishments within the area and consume alcoholic beverages. After inquiring about whether or not the Department of Transportation or BLLC permits allowed for the consumption of alcoholic beverages in the public streets, it was determined that no such authority has been granted for this event. At approximately 4:30 p.m., the inspector observed 2 bottles thrown on the block and instructed the licensed establishments to prohibit patrons from taking their alcoholic beverages outside of the establishment. Alleged violation of Alc. Bev. Art. § 12-1101.1(d)(2)(iii)3 when at approximately 3:00 p.m. on March 10, 2018 members of the BLLC responded to the Unit Block of East Cross Street to monitor the operation of the event “Federal Hill Irish Stroll”. Upon arriving at the location, the inspector observed patrons, who were believed to be participants of the event, exit licensed establishments within the area and consume alcoholic beverages. After inquiring about whether or not the Department of Transportation or BLLC permits allowed for the consumption of alcoholic beverages in the public streets, it was determined that no such authority has been granted for this event. At approximately 4:30 p.m., the inspector observed 2 bottles thrown on the block and instructed the licensed establishments to prohibit patrons from taking their alcoholic beverages outside of the establishment. Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 3:00 p.m. on March 10, 2018 members of the BLLC responded to the Unit Block of East Cross Street to monitor the operation of the event “Federal Hill Irish Stroll”. Upon arriving at the location, the inspector observed patrons, who were believed to be participants of the event, exit licensed establishments within the area and consume alcoholic beverages. After inquiring about whether or not the Department of Transportation or BLLC permits allowed for the consumption of alcoholic beverages in the public streets, it was determined that no such authority has been granted for this event. At approximately 4:30 p.m., the inspector observed 2 bottles thrown on the block and instructed the licensed establishments to prohibit patrons from taking their alcoholic beverages outside of the establishment.

Corporate Standing: Lindy Promotions, Inc. is an active Maryland corporation in good standing as of May 31, 2018.

Witnesses: Stephan Fogleman – Attorney, John Chrissomallis – BLLC Agent Inspector, Michelle Abbott-Cole – Baltimore City Department of Transportation, Mark Fosler – BLLC Agent Inspector, Barbara Valeri – Community Resident, Joann Martin – BLLC Agent Inspector, John Gable – Lindy Promotions President, Sara Coughlin – Licensee/Lindy Promotions, Hank Valeri – Community Resident, Beth Whitmer – Federal Hill Neighborhood Association President

Disposition: The Board has found that the licensee violated Alc. Bev. Art. § 12-1101.1(d)(2)(iii)2, Alc. Bev. Art. § 12-1101.1(e), and Rule 4.16 on March 9, 2018, and Rule 3.12, Alc. Bev. Art. § 12-1101.1(d)(2)(iii)3, and Rule 4.16 on March 10, 2018 and imposed a fine of \$2,550 and an administrative fee of \$125, both payable within 30 days.