MINUTES OF THE MEETING OF THE UTAH

 ALCOHOLIC BEVERAGE SERVICES COMMISSION

HELD THURSDAY, APRIL 27, 2023.

*[A copy of the final agenda was posted on the bulletin board at the DABS Administrative Office, emailed to the Salt Lake Tribune and the Deseret News, and posted on the Utah Public Notice Website by 10:00 a.m. on Wednesday, April 26, 2023.]*

Chair Juliette Tennert called the meeting to order at 10:00 a.m.

Commissioners Present: Juliette Tennert, Tara Thue, Natalie Randall, Jacquelyn Orton, Tom Jacobson, and Jennifer Tarazon.

Staff Present: Tiffany Clason, Executive Director; Cade Meier, Deputy Director; Sean Williford, Finance Director; and Doug Murakami, Alcohol Education Director.

Staff Participating Virtually: Angela Micklos, Compliance and Licensing Director.

Also Present: Samuel McHenry, Assistant Attorney General.

PLEDGE OF ALLEGIANCE:

Matthew Reder led the group in the Pledge of Allegiance.

APPROVAL OF MINUTES:

Ms. Thue moved to approve the minutes of the Commission Meeting held March 30, 2023 and the Special Commission Meeting held April 3, 2023. Ms. Randall seconded the motion which passed unanimously.

ANNOUNCEMENTS:

Ms. Tennert made the following announcements:

a. Proposed Future Meeting Schedule: *(subject to change)*

 - Thursday, May 25, 2023

 - Thursday, June 29, 2023 Logan

b. Public Comments:

 - Those present, please complete the form located at the back of the room.

 - Those participating virtually, please email your name, city, topic, and affiliation (if

applicable) to hotline@utah.gov by 5:00 p.m. on Wednesday, April 26, 2023.

 - Comments will be addressed at the end of the meeting.

FINANCIAL UPDATE:

Mr. Williford provided an update on the March 2023 financials. In March, retail sales totaled $56.8 million. Bottle sales totaled over 4 million (about 500,000 lower than the previous year). Revenue YTD is $444.9 million (about $18 million higher than the previous year). The transfer to the general fund for March will be 13.5 million.

PARENTS EMPOWERED UPDATE:

Mr. Murakami gave an update on the Parents Empowered campaign. He noted April is alcohol awareness month and the spotlight is on concerns surrounding heavy drinking, pregnancy, and youth consumption. Mr. Murakami also outlined the events taking place statewide through the communities that care program.

OPERATIONS UPDATE:

Ms. Micklos and Rob Hansen introduced the newest compliance officer, Brian Barton. Mr. Barton will be based in St. George and cover southern Utah. Jeremy Sommerlath introduced Matthew Reder. Mr. Reder is a part of the package agency team.

Ms. Clason outlined the activities that surround the Just a Sec to Check campaign. The campaign is a collaborative effort to provide workshops and media outreach to remind retailers how to prevent sales to youth.

Ms. Clason also provided an update on OpenGov, the new compliance online portal The new system will launch in 60 – 90 days. Demo sessions with stakeholders have provided great feedback and the department is working toward refinements in preparation for the launch.

Mr. Meier gave an update on the external launch of the DABS Help Desk.

VIOLATIONS:

*\*Referral Source – State Bureau of Investigation (SBI), Salt Lake Police Department (SLPD), North Salt Lake Police Department (NSLPD), Ogden Police Department (OPD), Unified Police Department (UPD), Roy Police Department (RPD), Logan Policy Department (LGPD), Garland Police Department (GPD), West Valley Police Department (WVPD)*

a. Consent Calendar:

*[The following Consent Calendar items include uncontested letters of admonishment (written warnings) and settlement agreements that have been agreed to and accepted by the licensees. They are considered as a block with one vote unless one of the commissioners requests that any item be removed for individual discussion.]*

 (1) Howdy’s Hilltop Tavern, Duchesne and \*SBI (BAR)

Trenten Hatch (employee).

 (2) Wing Nutz, Draper and Nicole Olson \*SBI (RE)

(employee).

(3) Sparetime Lanes, Roy and Krysta Peterson \*SBI (BE)

(employee).

(4) Wasatch Airport Pub, Salt Lake City and \*SBI (AL)

 Alejandro Alfaro (employee).

(5) La Frontera Mexican Restaurant, Salt Lake \*SBI (RE)

City and Lorena Lopez (employee).

(6) Acapulco, Kearns and Vincenzo Maldonado \*SBI (RB)

Mendes (employee).

(7) Lofte’s Bar & Grill, Salt Lake City and \*SBI (BAR)

Samantha Guzman Barona (employee).

(8) Tucanos Brazilian Grill, Farmington and \*SBI (RE)

Matthew Moscui Maldonaldo and Dane

Francis  (employees).

(9) Teppanyaki, Lehi and Oscar Duarte Milan \*SBI (RL)

 (employee).

(10) Sushi Up, Orem and Min Yi (employee) \*SBI (RL)

(11) Redwood Lounge, Salt Lake City and Bette \*SBI (BAR)

McDougall (employee).

   (12) Fenix Market, SLC and Maria Morales  \*UPD (OP)

(employee).

(13) Uinta Brewing Company, Salt Lake City and \*SBI (AL)

Eve Scofield (employee).

(14) NY Pizza Patrol, Draper and Ygor Olivoto \*SBI (RL)

(employee).

(15) Kent’s Market, Tremonton and Cindy \*GPD (OP)

 Hunsaker (employee).

 (16) Kent’s Market, Roy and J.B. (employee) \*RPD (OP)

  (17) Market Street Grill, Salt Lake City and \*SBI (AL)

 Daniel Egbert (employee).

(18) Huhot of Logan, and Pornpan Trimble \*SBI (RL)

(employee).

(19) Courtyard by Marriott Airport, Salt Lake \*SBI (RE)

City and Jacqueline Salazar and Ariana

Afemata (employee).

   (20) Kickin Seafood (Orem)and Marie Soward \*SBI          (RL)

(employee).

(21) Itto Sushi, Orem and Stacey Silverio \*SBI (RL)

Nunez (employee).

(22) Chettinad House, Salt Lake City \*SBI (RE)

(23) Red Maple Chinese Cuisine, Taylorsville \*SBI (RL)

and Xiaofeng Chen (employee).

(24) Joe’s Crab Shack, Sandy and Aaliyah \*SBI (RE0

 Williams (employee).

 (25) Three Alarm Saloon, Midvale, and Jackie \*SBI (BAR)

 Elsbury (employee).

Mr. McHenry gave an overview of the items on the consent calendar. Ms. Orton noted the subcommittee recommended approval of the consent calendar.

Ms. Orton moved to approve items #1 to #25 on the consent calendar. Mr. Jacobson seconded the motion which passed unanimously.

b. Violation Consideration:

 (26) Hook and Reel Cajun Seafood & Bar, Salt \*SBI (RE)

 Lake City and Cody Lockaby (employee).

Mr. McHenry gave an overview of the violation and proposed fines and fees.

Ms. Tennert and Ms. Thue asked the owner to explain what happened and what actions are being taken to prevent additional violations. They also noted that they have three violations and asked if he understands that if they get a fourth violation, the license will be revoked.

The owner, Jiadan Weng, participated virtually with the assistance of an interpreter, Catherine Palmer. Vinny Lopez, the Operations Manager at Hook and Reel, also came forward to address the commission. Mr. Weng responded to the concerns expressed by the commission and explained that they are working with the employees to prevent additional violations. Mr. Lopez confirmed they have an updated RASP that includes 100% identification. He also noted that the employee involved in the most recent violation is no longer employed.

Ms. Orton moved to approve the settlement agreement for #26 Hook and Reel Cajun Seafood & Bar in Salt Lake City. Ms. Thue seconded the motion which passed unanimously.

LICENSEE RECOGNITIONS: PASSED UTAH PUBLIC SAFETY SBI COVERT (CUB) INSPECTIONS:

Ms. Clason reported that since the March meeting, 55 licensees passed the SBI inspections. She congratulated those that passed and thanked them for following the alcohol safety laws.

EXTENDED CLOSURE REQUESTS:

a. Manoli’s Greek Restaurant, Salt Lake City. (RE) *(requesting until the May 2023 meeting)*

b. Grappa Restaurant, Park City. (RE) *(requesting until the May 2023 meeting).*

Rob Hansen gave an overview of the requests.

Mr. Jacobson moved to approve extended closures until the May 2023 commission meeting for Manoli’s Greek Restaurant in Salt Lake City and Grappa Restaurant in Park City. Ms. Thue seconded the motion which passed unanimously.

REQUEST FOR CHANGE OF LICENSE TYPE FROM A FULL YEAR RESTAURANT LICENSE TO A WINTER SEASONAL LICENSE:

a. Snowed Inn Sleigh Company, Park City. (RE)

Rob Hansen gave an overview of the request.

Ms. Orton moved to approve a change from a full year to a winter seasonal full service restaurant license for Snowed Inn Sleigh Company in Park City. Ms. Randall seconded the motion which passed unanimously.

CHANGE OF LOCATION REQUEST:

a. Real Bar & Grill changing DBA to Tino’s Taproom: *(Conditional)* (LB BAR)

 From: 9200 South State Street, Sandy.

 To: 1385 South 500 West, Bountiful.

Rob Hansen gave an overview of the request to move from Sandy to Bountiful. He explained that they were unable to open at the Real complex so will move to a space adjacent to Robintino’s in Bountiful.

Ms. Micklos read an email from Tim Ryan of Bout Time Pub and Grub objecting to the move. Ms. Micklos noted that franchisor/franchisee issues are not in the commission’s purview to consider.

Mr. Jacobson moved to approve the change of location request for Real Bar & Grill DBA Tino’s Taproom. Ms. Tarazon seconded the motion which passed unanimously.

LICENSE APPLICATIONS:

a. Off- Premise Beer Retailer Applicants:

 *License Change of Ownership:*

 (1) 7-Eleven Store # 38765A, Draper.  *(purchase agreement March*

 *15, 2023).*

(2) Avi Petro, Moab.  *(Conditional) (purchase agreement March 23,*

 *2023).*

(3) Corner Ave., Salt Lake City.  *(Conditional)  (purchase agreement*

 *March 12, 2023).*

 (4) Harts Gas and Food #80180, Pleasant Grove.  *(Conditional)*

 *(purchase agreement May 1, 2023).*

(5) Harts Gas and Food #80130, Huntington.  *(Conditional)(purchase agreement May 1, 2023).*

(6) Harts Gas and Food #80181, Panguitch. *(purchase agreement May*

 *1, 2023).*

 (7) Harts Gas and Food, Washington City.  *(Conditional)(purchase agreement May 1, 2023).*

(8) Harts Gas and Food #80234, Nephi.*(purchase agreement May 1,*

 *2023).*

 (9) Harts Gas and Food #80110, Lehi.  *(Conditional)(purchase agreement May 1, 2023).*

(10) Harts Gas and Food #80182, Panguitch. *(purchase agreement May*

 *1, 2023).*

         (11) Hart’s Gas and Food #80185, Salina. *(Conditional)  (purchase agreement May 1, 2023).*

 (12) Harts Gas and Food #80233, Nephi. *(purchase agreement May 1,*

 *2023).*

         (13) KB Express #80167, Washington. *(purchase agreement May 1,*

 *2023).*

         (14) KB Express # 80166, Panguitch.  *(purchase agreement May 1,*

 *2023).*

Stephne Hanson gave an overview of the change of ownership applications.

Ms. Orton moved to approve off-premise beer retailer license ownership changes for #1 7-Eleven Store #38765A in Draper, #6 Harts Gas and Food #80181 in Panguitch, #8 Harts Gas and Food #80234 in Nephi, #10 Harts Gas and Food #80182 in Panguitch, #12 Harts Gas and Food #80233 in Nephi, #13 KB Express #80167 in Washington, and #14 KB Express #80166 in Panguitch; and conditional off-premise beer retailer licenses for #2 Avi Petro in Moab, #3 Corner Ave. in Salt Lake City, #4 Harts Gas and Food #80180 in Pleasant Grove, #5 Harts Gas and Food #80130 in Huntington, #7 Harts Gas and Food in Washington City, #9 Harts Gas and Food #80110 in Lehi, and #11 Harts Gas and Food #80185 in Salina. Ms. Thue seconded the motion which passed unanimously.

 *New Applicants:*

(1) Blanquitas Meat and Market, Clearfield.

 (2) Proper Brewing Company, Moab.

 (3) Fairpark Express, Salt Lake City.

 (4) Big Rock Candy Mountain Resort, Sevier.

 (5) Saigon Supermarket, Taylorsville.

(6) Maple Market, Wellsville.  *(Conditional)*

 (7) Holiday Oil # 75, West Point.   *(Conditional)*

Stephne Hanson gave an overview of the new applications.

Ms. Orton moved to approve off-premise beer retailer licenses for #1 Blanquitas Meat and Market in Clearfield, #2 Proper Brewing Company in Moab, #3 Fairpark Express in Salt Lake City, #4 Big Rock Candy Mountain Resort in Sevier, and #5 Saigon Supermarket in Taylorsville; and conditional off-premise beer retailer licenses for #6 Maple Market in Wellsville and #7 Holiday Oil #75 in West Point. Ms. Tarazon seconded the motion which passed unanimously.

b. Manufacture Winery Applicant:

 *New Applicant:*

(1) Big Brands Utah Co-Packing, Springville.

Jeff Colvin gave an overview of the application.

Ms. Orton moved to approve a manufacture winery license for #1 Big Brands Utah Co-Packing in Springville. Ms. Randall seconded the motion which passed unanimously.

c. Industrial Manufacturing Applicant:

 *New Applicant:*

 (1) Cornaby’s Specialty Foods, Payson

Jeff Colvin gave an overview of the applications.

Ms. Orton moved to approve an industrial manufacturing license for #1 Cornaby’s Specialty Foods in Payson. Ms. Randall seconded the motion which passed unanimously.

d. On-Premise Beer Recreational Amenity Applicants:

 *License Change of Ownership:*

 (1) Clubhouse Café @ Southgate GC, St. George.

Jeff Colvin gave an overview of the application.

Ms. Orton moved to approve a beer recreational amenity ownership change for #1 Clubhouse Café @ Southgate GC in St. George. Ms. Tarazon seconded the motion which passed unanimously.

 *New Applicants:*

(1) Eagle Mountain Golf Course, Brigham City.  *(Conditional)*

 (2) Calle, Salt Lake City.  *(Conditional)*

 (3) Pin High Cafe @ Nibley Park GC, Salt Lake City.   *(Conditional)*

 (4) Pin High Cafe @ Forest Dale GC, Salt Lake City.   *(Conditional)*

 (5) Pin High Cafe @ Bonneville GC, Salt Lake City.     *(Conditional)*

 (6) Pin High Cafe @ Rose Park GC, Salt Lake City.     *(Conditional)*

 (7) Pin High Cafe @ Glendale GC, Salt Lake City.      *(Conditional)*

Jeff Colvin gave an overview of the applications.

Ms. Orton moved to approve conditional beer recreational amenity licenses for #1 Eagle Mountain Golf Course in Brigham City, #2 Calle in Salt Lake City, #3 Pin High Café @ Nibley Park GC in Salt Lake City, #4 Pin High Café @ Forest Dale GC in Salt Lake City, #5 Pin High Café @ Bonneville GC in Salt Lake City, #6 Pin High Café @ Rose Park GC in Salt Lake City, and #7 Pin High Café @ Glendale GC in Salt Lake City. Ms. Tarazon seconded the motion which passed unanimously.

e. Full-Service Restaurant Applicants:

 *License Change of Ownership:*

(1) ~~Prime Steakhouse~~ *STRIKE*

 (2) Rocking V Cafe, Kanab. *(Purchase agreement April 28, 2023)*

*(2001 variance needs to be continued).*

(3) The Viking Yurt, Park City.  *(Purchase agreement March 1, 2023).*

(4) Wingers 9175, West Jordan. *(Purchase agreement February 23,*

*2023)*

 *Ready to Operate:*

(1) Casa Salvaje, Murray.  *(Conditional) (open)*

(2) Showdowns Restaurant, Tropic. *(open) (will surrender the*

*RL license if approved).*

(3) Real Taqueria, Holladay.  *(open)  (will surrender the RB license*

*if approved).*

(4) Kaiseki Sushi, St George.  *(projected opening May 3, 2023).*

 (5) Cupla Coffee, Salt Lake City.  *(projected opening April 22, 2023).*

(6) Silverside Deli, Salt Lake City.  *(projected opening April 28, 2023).*

(7) Senorita’s 3rd Floor Cantina, Springville.  *(projected opening May*

*5, 2023).*

(8) Under Canvas, Bryce.  *(projected opening May 11, 2023).*

(9)P.F. Chang’s China Bistro, Murray.  *(Conditional) (projected*

 *opening May 17, 2023)  (violation history).*

 *All Other Applicants:*

(1) ~~Autocamp Zion~~ *STRIKE*

(2) Level Crossing Brewing, Salt Lake City.  *(Conditional) (projected*

*opening May 1, 2023)  (back-up for bar application).*

         (3) Matchstick Bar & Grill, West Valley City.  *(Conditional)*

*(projected opening May 15, 2023).*

(4) Root’d Cafe, Riverton.  *(Conditional)  (Projected opening June 15,*

*2023).*

         (5) The Crack Shack, Murray.  *(Conditional) (projected opening*

*June 16, 2023).*

                           (6) Silver Reef Brewery Craft & Kitchen, St George.  *(Conditional)*

*(projected opening July 1, 2023).*

       (7) Pier 8, Orem. *(Conditional) (projected opening May 15, 2023).*

Ms. Tennert asked Ms. Thue for an update on the subcommittee discussions. Ms. Thue explained that the subcommittee considered an application ready to operate if the manager and a sufficient number of employees have completed training; the applicant has the business license in hand along with a certificate of occupancy; and the final inspections are complete.

Cori Price gave an overview of the change of ownership applications.

Ms. Thue moved to approve ownership changes for #2 Rocking V Café in Kanab, #3 The Viking Yurt in Park City, and #4 Wingers 9175 in West Jordan. Mr. Jacobson seconded the motion which passed unanimously.

Ms. Micklos reminded the commissioners that the 2001 variance for Rocking V Café needs to be continued.

Mr. Jacobson moved to continue the variance for Rocking V Café in Kanab. Ms. Tarazon seconded the motion which passed unanimously.

Cori Price gave an overview of the ready to operate applicants.

Ms. Orton moved to approve conditional full service restaurant licenses for ready to operate applicants #1 Casa Salvaje in Murray, and #9 P.F. Chang’s China Bistro in Murray; and full service restaurant licenses for #2 Showdowns Restaurant in Tropic, #3 Real Taqueria in Holladay, #4 Kaiseki Sushi in St. George, #5 Cupla Coffee in Salt Lake City, #6 Silverside Deli in Salt Lake City, #7 Senorita’s 3rd Floor Cantina in Springville, and #8 Under Canvas in Bryce. Ms. Randall seconded the motion which passed unanimously.

f. Limited Service Restaurant Applicants:

 *New Applicants:*

(1) Little India, Heber City.  *(Conditional)  (open).*

(2) Seoul Meat Co., Riverton. *(Conditional)  (open).*

(3) Old Cuss, South Salt Lake City.  *(Conditional)  (projected opening*

*April 14, 2023).*

(4)North Creek Grill, Escalante.  *(Conditional)  (projected opening*

*May 1, 2023).*

(5) Oakley Diner, Oakley.  *(Conditional)  (projected opening June 1,*

*2023).*

Cori Price gave an overview of the applications.

Ms. Thue moved to approve conditional limited service restaurant licenses for #1 Little India in Heber City, #2 Seoul Meat Co. in Riverton, #3 Old Cuss in South Salt Lake City, #4 North Creek Grill in Escalante, and #5 Oakley Diner in Oakley. Ms. Orton seconded the motion which passed unanimously.

g. Beer Only Restaurant Applicants:

 *New Applicants:*

(1) Del Mar A Modern Seafood Taqueria, American Fork. (open)

 (2) Canyon Smokehouse, Bluff. (open)

Cori Price gave an overview of the applications.

Mr. Jacobson moved to approve beer only restaurant licenses for #1 Del Mar A Modern Seafood Taqueria in American Fork and #2 Canyon Smokehouse in Bluff. Ms. Randall seconded the motion which passed unanimously.

h. Bar Establishment Applicants:

 *License Change of Ownership:*

(1) Mid City Pub & Grill, Midvale.

(2) ~~The Gem Nightclub~~ *STRIKE*

(3) Bout Time Pub & Grub, Lehi.

 *Ready to Operate:*

(1) Pete’s Place Bar & Grill, Ogden.  *(currently holds a*

*tavern license; will surrender tavern license if approved)*

 *Projected Future Opening:*

(1) Level Crossing Brewing Company, Salt Lake City.  *(Conditional)*

 *(projected opening May 15, 2023).*

(2) Second Summit Hard Cider, Salt Lake City.  *(Conditional)*

 *(projected opening May 20, 2023).*

(3) Aker Restaurant and Lounge, Salt Lake City.  *(Conditional)*

 *(projected opening June 2023).*

(4) Neptune’s Palace, Salt Lake City.  *(Conditional)  (projected opening June 2023).*

(5) Yuki, Salt Lake City.  *(Conditional)  (projected opening June 2023).* (6) El Moab Hotel, Moab.  *(Conditional) (projected opening July 1, 2023).* (7) Bout Time Pub & Grub, Tooele.  *(Conditional)  (projected opening*

*July 2023).*

(8) Marquis, Park City.  *(Conditional) (projected opening November*

*2023).*

(9) Bout Time Pub & Grub, Saratoga Springs.  *(Conditional)*

 *(projected opening December 2023).*

Ms. Tennert noted that there are no new bar licenses available today.

Rob Hansen gave an overview of the change of ownership applications noting #2 The Gem Nightclub was stricken from the agenda.

Mr. Jacobson moved to approve ownership changes for #1 Mid City Pub & Grill in Midvale and #3 Bout Time Pub & Grub in Lehi. Ms. Tarazon seconded the motion which passed unanimously.

COMMENTS FROM COMMISSIONERS AND PUBLIC:

a. Tristan Murano and Henry Martinez from Echo/Gem came forward to address the commission. They noted their item was stricken but wanted the commission to know about the security upgrades they’ve made at their bar.

b. Mark Shurtleff and Ross Easthope from Echo came forward to thank the commission for striking the ownership change until the state can verify ownership and the authority to make the change.

There being no further business, Ms. Orton moved to adjourn the meeting. The meeting was adjourned at 11:15 a.m.