

VILLAGE OF MACKINAW

LOCAL LIQUOR CONTROL COMMISSION COMMITTEE MEETING MINUTES

April 13, 2022

I. **Liquor Control Commissioner Josh Schmidgall called the meeting to order at 6:30 P.M.**

II. **ROLL CALL**

Present: 3: Liquor Control Commissioner Josh Schmidgall, Committee Member: Ted Laidig and Kevin Wilkins

Absent: 0:

Also Present: Recording Secretary Amanda Nunley

III. **PLEDGE OF ALLEGIANCE**

IV. **APPROVAL OF MINUTES FROM FEBRUARY 14, 2022, MEETING:**

Committee Member Wilkins moved, seconded by Committee Member Laidig to approve the February 14, 2022, Local Liquor Control Commission Committee Minutes. On a roll call, the vote was:

AYES: 3 – Liquor Control Commissioner Josh Schmidgall, Committee Member: Ted Laidig and Kevin Wilkins

NAYS: 0

ABSENT: 0

There being three affirmative votes, the **motion carried.**

V. **PUBLIC COMMENT:**

VI. **RENEWAL OF LIQUOR LICENSE:**

- a. **Renewal of Haynes on Main LLC, Class A Liquor License** – At this time all members of the Liquor Control Commission made unanimous consent to have an omnibus vote and this vote would encompass letters a-d on VI. of the agenda. Committee Member Wilkins made the motion to recommend the renewal the following liquor license: Haynes on Main LLC, Class A liquor license, Pub 52, Class A liquor license, Casey's General Store #3053, Class B liquor license and Zehr Foods Inc., Class B liquor license. The motion was seconded by Committee Member Laidig. On a roll call, the vote was:

AYES: 3 – Liquor Control Commissioner Josh Schmidgall, Committee Member: Ted Laidig and Kevin Wilkins

NAYS: 0

ABSENT: 0

There being three affirmative votes, the **motion carried.**

- b. **Renewal of Pub 52, Class A Liquor License – Omnibus Vote**

- c. Renewal of Casey's General Store #3053, Class B Liquor License – Omnibus Vote
- d. Renewal of Zehr Foods Inc., Class B Liquor License – Omnibus Vote

The recommendation of the Local Liquor Control Commission to the Village Board of Trustees shall be passed along to the Village Board of Trustees for final action. Final action on the renewal of Haynes on Main LLC, Class A liquor license, Pub 52, Class A liquor license, Casey's General Store #3053, Class B liquor license and Zehr Foods Inc., Class B liquor license is vested in the Village Board of Trustees.

VII. AMENDMENT OF CHAPTER 113 ALCOHOLIC BEVERAGE AND LIQUOR CODE

- e. **Amend §113.380 (B) to Include Video Surveillance** – Committee Member Wilkins motioned seconded by Committee Member Laidig to make the recommendation to the Village Board of Trustees to amend §113.380 (B) to include the video surveillance in cooperation of a police investigation. On a roll call, the vote was:

AYES: 3 – Liquor Control Commissioner Josh Schmidgall, Committee Member:
Ted Laidig and Kevin Wilkins

NAYS: 0

ABSENT: 0

There being three affirmative votes, the **motion carried.**

NEW BUSINESS: Liquor Control Commissioner Josh Schmidgall brings a complaint to the commission regarding a call received at the Village Office on April 11, 2022, about the Exotic Legends and Hollywood Knockouts events that will be held at Pub 52 on May 6th and June 23rd. The complainant questioned the no nudity on premise rules in the liquor code and if these events violated these rules. The Liquor Control Commission reviewed §113.330 Nudity on the Premise Where Alcoholic Liquor is Offered for Sale:

It shall be unlawful for any licensee or person acting as agent, servant, or employee of such licensee to provide, suffer, or permit any act, conduct, or entertainment on the premise in such a manner as to expose to public view:

1. Male or female genitals, pubic hair, buttocks, perineum, anal region, or pubic hair region;
2. Any portion of the female breast at or below the areola thereof;
3. Any devise, film, costume, or covering which gives the appearance of or simulates the above listed body parts;
4. The use of tassels, pasties, stars, or transparent material for coverage of the listed body parts;
5. Sexual intercourse, any penetration of the female sex organ by the male sex organ, masturbation, sodomy, bestiality, cunnilingus, anilingus, fellatio, flagellation, sadomasochism, or any other sexual acts prohibited by law;
6. The touching, caressing, or fondling of the breast, buttock, anus, genitals, perineum, or pubic hair region;
7. Excretory functions as part of or in connection with any activities set forth above; and/or
8. The displaying of films or pictures, or similar reproductions or technology depicting acts set forth in divisions (A) through (G) of this section. (Ord. 853, passed 9-24-12) Penalty, see § 10.99

The complainant also commented that there seems to be an issue with people being over served at Pub 52 due to numerous incidents that have occurred. The Liquor Control Commission feels that a

letter needs to be sent to Pub 52 from Attorney Pat McGrath addressing these complaints and to issue a warning regarding these matters. This matter will be addressed at the next Liquor Control Commission meeting to see if a recommendation needs to be made to the Village Board of Trustees regarding these complaints. The complainant refused to leave a number or name.

VIII. ADJOURNMENT @ 6:51 P.M.: There being no further business to come before the Board. Committee Member Wilkins moved, seconded by Committee Member Laidig to adjourn.
motion carried.

I, Amanda Nunley, Recording Secretary do hereby certify that the foregoing minutes are a true and correct copy of the regular meeting held on the above date, as the same appears on the records of the Village are now in the custody and keeping of the Village Clerk.

Amanda Nunley, Recording Secretary
Posted: 5/23/22