

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:
May 21, 2007

CALL TO PODIUM:
Tony Tomasello, Assistant City Manager

RESPONSIBLE STAFF:

AGENDA ITEM:
(please check one)

<input type="checkbox"/>	Presentation
<input type="checkbox"/>	Proclamation/Certificate
<input type="checkbox"/>	Appointment
<input type="checkbox"/>	Public Hearing
<input type="checkbox"/>	Historic District
<input type="checkbox"/>	Consent Item
<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	Resolution
<input type="checkbox"/>	Policy Discussion
<input type="checkbox"/>	Work Session Discussion Item
<input checked="" type="checkbox"/>	Other: From Staff

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:

Amended Testimony for 7-Eleven's Alcoholic Beverage License Renewal Rehearing

SUPPORTING BACKGROUND:

On April 12, 2007 the Montgomery County Board of License Commissioners conducted hearings on the renewal of Alcoholic Beverage Licenses for three City businesses with off-premise licenses (7-Eleven, 7-Express, and Center Market). Mayor Katz spoke on behalf of the City detailing the negative impact that early-morning alcohol sales and the sale of single-sized containers were having on the community. The City's efforts were focused on eliminating early morning sales and, to the extent possible, restricting the sale of singles. However, in the case of 7-Eleven, public testimony, both written and verbal, was so compelling that the Board declined to renew the license.

Subsequently, the owner of the 7-Eleven retained an attorney and is pursuing an appeal. In preparing the case, the attorney found a flaw in the process. The license renewal hearing was not posted in the local paper in accordance with relevant law. The Board decided that the best course of action was to rehear the case. The hearing date is scheduled for Thursday, June 7 at 1:30 p.m.

Although initially, the City did not actively oppose the renewal of 7-Eleven's license, the extent of the community's plight, as evidenced by numerous letters and personal testimony, compel the City to consider reevaluating its position to align with that of the community. With the Council's support, we would like to amend our testimony to oppose the renewal of the Liquor License for the 7-Eleven located at 211 North Frederick Avenue.

DESIRED OUTCOME:

Approve amending testimony