

MINUTES

ALCOHOL AND TOBACCO COMMISSION

NOVEMBER 18, 2025

CALL TO ORDER/NOTING OF QUORUM

Chairwoman Allen called the meeting to order and noted the quorum and the attendance. Vice Chairman Payne, Commissioner Maginn, Commissioner Jones, Deputy Director Serak, Prosecutor Wignall and Senior Attorney Beaucaire were in attendance.

DISPOSITION OF MINUTES

Vice Chairman Payne moved to approve the minutes from the November 4, 2025 meeting. Commissioner Jones seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Vice Chairman Payne moved to approve the Parties' Agreed Dispositions, submitted by Prosecutor Wignall. Fifty dispositions were submitted with fines totaling \$36,200.00. Commissioner Jones seconded. The motion was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

BR1921572 AMBER LOPEZ – Commissioner Maginn stated this applicant was denied an employee permit due to two OWI convictions---May 7, 2018 and January 31, 2025. The law does not allow the issuance of an employee permit until two years after completing the sentence for the second conviction. The applicant submitted letters of support, however, the law does not allow for a hardship permit.

Commissioner Maginn moved to deny the renewal of the permit. Commissioner Jones seconded. The motion was unanimously approved.

CONSIDERATION OF APPLICATIONS

Commissioner Jones moved to approve and incorporate by reference these lists of permits for renewal, which have been recommended by local boards and reviewed by said staff with the authority of the Commission, and hereby move for approval of the same, pending any escrow hearings, and the inclusion of these lists as part of the minutes. Vice Chairman Payne seconded. The motion was unanimously approved.

Commissioner Jones moved to approve and incorporate by reference these lists of permit applications for a new permit or application for changes in location, ownership, or both of existing permits, which have been recommended by local boards and reviewed by at least two Commissioners and hereby move for approval of same, pending final floor plan approval by the Indiana State Excise Police and escrow, if needed, and inclusion of these lists as part of the minutes. Vice Chairman Payne seconded. The motion was unanimously approved.

Commissioner Jones moved to approve the catering applications. Vice Chairman Payne seconded. The motion was unanimously approved.

Commissioner Jones moved to approve the direct wine shipper applications. Vice Chairman Payne seconded. The motion was unanimously approved.

WAIVERS OF FEES – LETTERS OF EXTENSION

Vice Chairman Payne moved to approve the fee waived letters of extension issued the preceding weeks. Commissioner Jones seconded. The motion was unanimously approved.

ITEMS FOR DISCUSSION

RR20-00853 BARNES & BARNES INC. – Chairwoman Allen noted this is a renewal with the local board voting 3-1 to approve for 1 year.

Commissioner Maginn stated the permittee had violations that have been settled. A corrective action plan was submitted. There is concern that this business is operating as a package store instead of a restaurant and the Commissioner encouraged Excise to do checks to ensure they are operating properly.

Commissioner Maginn moved to uphold the local board's recommendation to approve a one-year renewal. Vice Chairman Payne seconded.

Commissioner Jones noted the corrective action plan and letter submitted by the permittee convinced him to reluctantly vote in favor of the motion.

The motion was unanimously approved.

RR49-43017 FAMILIA FRANCIONE LLC – Chairwoman Allen noted this is a renewal with the local board voting 3-0 to deny.

Commissioner Maginn stated there is a question regarding ownership and possibly false ownership.

Commissioner Maginn moved to uphold the local board's recommendation to deny the transfer. Commissioner Jones seconded. The motion was unanimously approved.

RR49-34837 J&J PROMOTIONAL GROUP LLC – Chairwoman Allen noted this is a renewal with the local board voting 3-0 to deny.

Commissioner Maginn stated the permittee would like to transfer the permit, however, the transfer was previously denied. The business had a violation where people were shot and there were drug charges, as well. That violation was settled.

Commissioner Maginn moved to uphold the local board's recommendation to deny the renewal. Commissioner Jones seconded.

Commissioner Jones stated he heard the appeal on the previous denial of the renewal, which led to the Remand Order of the renewal and the current matter before the Commission. The Order recommended

that the local board hear the renewal without regard to the company (transferee) who was managing the business when the violations occurred and that there should be no expectation that the permit was going to be transferred to the previous transferee.

The motion was unanimously approved.

RR29-34881 1235 KEYSTONE WAY LLC – Chairwoman Allen noted this is a request to be designated as a catering hall.

Commissioner Maginn moved to approve the request, pursuant to withdrawal of carry-out privileges. Commissioner Jones seconded. The motion was unanimously approved.

RR02-32711 PIKE PUB AND GRUB INC. – Chairwoman Allen noted this a renewal with the local board voting 3-1 to approve for one year.

Commissioner Maginn stated the business had a violation that was settled regarding a fight in the bar.

Commissioner Maginn moved to uphold the local board's recommendation to approve for one year. Vice Chairman Payne seconded.

Commissioner Jones stated he will reluctantly vote to uphold the motion because the permittee stated the patron egging on the fight and using racial slurs is no longer allowed in the business.

The motion was unanimously approved.

RR02-07083 CONZIE INC. AND RR02-43012 BREAK AND RUN LLC – Chairwoman Allen noted Conzie is a renewal application and Break and Run is a transfer from Conzie. Both were 3-1 votes to approve by the local board.

Commissioner Maginn stated the renewal is for transfer purposes only. There were issues with renewals being continuously filed in the owner's name, who had died. The transferee has been running the business on a Manager's Questionnaire, and on PACE, with no issues.

Commissioner Maginn moved to uphold the local board's recommendation to approve. Commissioner Jones seconded.

Commissioner Jones stated he wanted to clarify why this situation is different than Bernice Carter, that was before the Commission at the November 4th meeting, that being renewals being submitted under owner's name who is no longer living. Bernice Carter's permit was revoked, however, the Commission stated filing a transfer to one of Ms. Carter's daughters would have been acceptable and renewing the permit for purposes of transfer only would be considered, which is the case in the matter before the Commission today.

The motion was unanimously approved.

MM48-30635 CULTURED URBAN WINERY LLC – Chairwoman Allen noted this is on for an extension, continued from October 28th.

Commissioner Maginn stated this was continued from October 28th because the permittee had not filed the Form 1 Property Tax Clearance for the renewal. The Form 1 still has not been submitted due to an appeal regarding property taxes. Deputy Director Serak informed the Commissioner that it is ok for the extension to be issued with the appeal being filed.

Commissioner Maginn moved to approve a 60-day letter of Extension, and if needed, it can be revisited after 60 days. Vice Chairman Payne seconded.

Commissioner Jones stated he will vote to approve based on the Deputy Director's legal finding; however, he is concerned as to how long a tax appeal will take.

Deputy Director Serak agreed and stated the attorney in the tax appeal feels the appeal will take longer than 60-days, but he will keep in touch with that attorney, so the Commission knows what is going on. He also stated if it drags on, we may have to consider other options.

The motion passed 3-0. Chairwoman Allen abstained.

RR09-36799 POLSINELLIS BAR & GRILL LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated the permittee had three violations. All are settled.

Commissioner Maginn moved to approve a 90-day extension. Vice Chairman Payne seconded.

Commissioner Jones stated he is concerned about the violations. The permittee lied to Excise and only after Excise knew what was going on, did she admitted to the violations. He will vote to deny.

The motion passed 3-1.

RR45-38308 TSA PROPERTIES LLC – Chairwoman Allen noted this is on for an extension request, continued from October 21st. The extension is no longer needed.

RR43-41414 HERMILA MENDOZA – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated all paperwork has now been submitted.

Commissioner Maginn moved to approve a 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

DL02-32499 LEO LIQUOR STORE INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated the permittee has a new violation that has not been settled. There is a settlement conference scheduled for November 24th.

Commissioner Maginn moved to approve an extension until January 6th, to allow time to settle the violation, and submit a corrective action plan. Commissioner Jones seconded. The motion was unanimously approved.

RR45-89176 GREAT OAKS AFTER "FOUR" CLUB INC. – Chairwoman Allen noted this is on for an extension request. Matters are resolved and the extension is no longer needed.

RC29-00176 AMERICAN LEGION INC. 67 – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated all missing paperwork has been submitted.

Commissioner Maginn moved to approve a 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RR43-33097 LAGOS STEAKHOUSE LLC – Chairwoman Allen noted this is on for an extension request. Matters are resolved and the extension is no longer needed.

RR45-03760 MAXIM'S INC. – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated renewal is complete.

Commissioner Maginn moved to approve a 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

WH49-30104 AND WH49-30105 D & E SPIRITS LLC – Chairwoman Allen noted these are on for extension requests.

Commissioner Maginn moved to approve 90-day extensions for both permits. Commissioner Jones seconded. The motion was unanimously approved.

RR49-39978 FUZION INC. – Chairwoman Allen noted this is on for an extension review. An extension was granted on November 4, 2025, and the permittee has been cited by Excise for violations since that date.

Commissioner Maginn stated the permit is currently under appeal for denial of the renewal. There is a history of repeated violations at the business. The corrective action plan that was submitted reaffirmed the permittee's commitment to maintaining compliance with the alcohol laws and regulations.

Commissioner Maginn moved to have the extension picked up by Excise. Chairwoman Allen seconded. Vice Chairman Payne abstained.

Chairwoman Allen stated extensions are granted with the expectations of strict compliance.

The motion is approved 3-0 with 1 abstention.

***Chairwoman Allen asked the Commissioners to add the following permits to the agenda by consent. Consent was granted.

RR49-39408 PARK & REC INDY LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated the permittee needs to submit a Form 1 and a corrected certificate of insurance with the proper name.

Commissioner Maginn moved to approve the extension conditioned upon receipt of the Form 1 and corrected certificate of insurance. Commissioner Jones seconded. The motion was unanimously approved.

RR49-34931 BSL ENTERTAINMENT LLC – Chairwoman Allen noted this is on for a request to continue the previously scheduled revocation hearing.

Commissioner Maginn stated she is proposing four dates for the continued revocation hearing: December 8th, December 12th, December 15th, December 18th, and moved to have Prosecutor Wignall work out one of those dates to reschedule the hearing. Vice Chairman Payne seconded.

Chairwoman Allen noted part of the reason the continuance was requested was due to technology issues in getting discovery to the permittee.

Commissioner Jones stated he expects the hearing to take place on the date and time chosen for the continuance, with no further continuance granted.

Vice Chairman Payne agreed noting the statute authorizes these matters to be dealt with quickly. Legislation recently changed the timeframe for notification of these hearings from 10 days to 3 days.

The motion was unanimously approved.

INACTIVE FILES

Chairwoman Allen stated four permits have been removed from the list that was posted on the November 4th agenda to be made dead on November 18th. Those permits are RR49-36548, DL02-33314, DL02-33313, and DL02-33312.

Commissioner Maginn moved to make 15 permits dead that were previously posted on the November 4, 2025 meeting agenda. Commissioner Jones seconded. The motion was unanimously approved.

Chairwoman Allen noted a request was submitted to remove permit #RR45-34038 from the December 2nd list for one year, to allow time to locate the permittee and address transfer issues. She is not inclined to continue for one year because the permit has been expired for the six months allowable by statute. The Chairwoman would advise counsel for the buyer to work with counsel for the Commission to see if there is a way to address the issue and get the transfer filed. The permit remains on the December 2nd list, and the Commission will revisit the issue on that date.

Chairwoman Allen stated there are 5 permits posted to be made dead at the December 2, 2025 meeting, who have failed to submit renewals.

OLD BUSINESS

No Old Business

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

2025 AMENDED COMMISSION MEETING DATE - Chairwoman Allen stated the next 2025 Amended Meeting Dates are:

December 2025 (no escrow hearing)


STATEMENT OF COMMENDATION BY VICE CHAIRMAN PAYNE – Vice Chairman Payne stated in his more than 3 years with the Commission, he continues to be amazed at the amount of work processed by the ATC staff. The 650 permits listed on this agenda, all were touched, reviewed and approved to be considered today by the staff. He wanted to publicly commend them on their work.

Commissioner Jones, Commissioner Maginn and Chairwoman Allen all concurred.

ADJOURNMENT

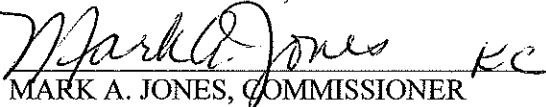
Commissioner Jones moved to adjourn the meeting. Vice Chairman Payne seconded. The motion was unanimously approved.

Approved this 2nd day of December, 2025.


JESSICA ALLEN, CHAIRWOMAN


JAMES W. PAYNE, VICE CHAIRMAN


MARJORIE MAGINN, COMMISSIONER


MARK A. JONES, COMMISSIONER