

MINUTES

ALCOHOL AND TOBACCO COMMISSION

FEBRUARY 3, 2026

CALL TO ORDER/NOTING OF QUORUM

Chairwoman Allen called the meeting to order and noted the quorum and the attendance. Commissioner Maginn, Commissioner Jones, Prosecutor Wignall, General Counsel Beaucaire and Senior Attorney Daphne Whitmire were in attendance.

DISPOSITION OF MINUTES

Commissioner Maginn moved to approve the minutes from the January 21, 2026 meeting. Commissioner Jones seconded. The motion was unanimously approved.

PROSECUTOR'S RECOMMENDATIONS

PARTIES' AGREED DISPOSITIONS – Commissioner Maginn moved to approve the Parties' Agreed Dispositions, submitted by Prosecutor Wignall. Forty-six dispositions were submitted with fines totaling \$33,650.00. Commissioner Jones seconded. The motion was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

RR49-37406 MARTINEZ ENTERPRISES CORP – Chairwoman Allen noted the permittee has pending violations. Hearings were scheduled and the permittee failed to appear and failed to settle the violations.

Chairwoman Allen moved to revoke the permit. Commissioner Maginn seconded. The motion was unanimously approved.

BR2074092 MARY WORRING – Chairwoman Allen noted the permittee has pending violations. The permittee appeared for the initial conference, but failed to appear for the prehearing and failed to settle the violations.

Chairwoman Allen moved to revoke the permit. Commissioner Jones seconded. The motion was unanimously approved.

RR49-39282 & CT49-32468 ICE BAR AND LOUNGE LLP – Chairwoman Allen stated Vice Chairman Payne sat as hearing judge in this matter. This was a denial of the renewal and an appeal of that denial. An appeal hearing was held. Vice Chairman Payne now submits Proposed Findings of Fact and Conclusions of Law for the Commission's consideration. The permittee also filed objections to the Proposed Findings.

Chairwoman Allen moved to uphold the Proposed Findings of Fact and Conclusions of Law and deny the renewal. Commissioner Jones seconded. The motion was unanimously approved.

RR49-38051 OHSR ENTERPRISE LLC – Chairwoman Allen stated Vice Chairman Payne sat as hearing judge in this matter. This was a denial of the renewal and an appeal. An appeal hearing was held. Vice Chairman Payne now submits Proposed Findings of Fact and Conclusions of Law for the Commission’s consideration.

Chairwoman Allen moved to uphold the Proposed Findings of Fact and Conclusions of Law to reverse the denial and approve the renewal for one-year. Commissioner Jones seconded.

Commissioner Jones noted that there have been no additional police runs in the last year regarding the business.

Chairwoman Allen mentioned the detailed corrective action plan that was submitted and put the permittee on notice to continue to adhere to that plan in the future.

The motion was unanimously approved.

RR49-40804 S & B ENTERTAINMENT LLC – Commissioner Jones stated this was a transfer application that was approved but then denied because the renewal of the permit being transferred was denied. An appeal was filed for the renewal and the transfer. An appeal hearing was held regarding the renewal. The renewal was denied on appeal.

Commissioner Jones moved to dismiss the appeal of the transfer. Commissioner Maginn 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. Commissioner Maginn seconded. The motion was unanimously approved.

Chairwoman Allen asked the Commission to add permits #RR49-43232 and DL49-34375 to the list of new/transfer permits by consent. Consent was granted.

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. Commissioner Maginn seconded. The motion was unanimously approved.

Commissioner Jones moved to approve the catering applications. Commissioner Maginn seconded. The motion was unanimously approved.

WAIVERS OF FEES – LETTERS OF EXTENSION

Commissioner Maginn moved to approve the fee-waived letters of extension that were issued the preceding weeks. Commissioner Jones seconded. The motion was unanimously approved.

ITEMS FOR DISCUSSION

RR90-21591 LIGHTED GARDENS, INC. – Chairwoman Allen noted this is a request for a catering hall designation.

Commissioner Maginn moved to approve the request. Commissioner Jones seconded. The motion was unanimously approved.

RR49-40045 MIAMI'S GARDEN LLC – Chairwoman Allen noted this is on for an extension request, continued from January 27, 2026.

Commissioner Maginn stated the renewal of this permit was denied and an appeal hearing was held. The permittee is currently operating on an extension.

Commissioner Maginn moved to approve an extension until March 17th, to allow time for the hearing judge to submit proposed findings regarding the appeal. Commissioner Jones seconded.

Chairwoman Allen stated she will remain consistent with her vote to deny.

Commissioner Jones noted he is reluctantly voting to approve the motion. The fact that there have been no further issues in the last year and an officer with IMPD has noted the improvement are his reasons for approval.

The motion was approved 2-1.

RR02-41719 PEANUTS LLC – Chairwoman Allen noted this is on for an extension request, continued from January 6, 2026.

Commissioner Maginn stated the corrective action plan is vague and not sufficient in addressing the issues.

Commissioner Maginn moved to approve a 2-week extension to allow time for submission of an amended corrective action plan. Commissioner Jones reluctantly seconded. The motion was unanimously approved.

RR43-33598 WAGON WHEEL THEATRE, INC. – Chairwoman Allen noted this is on for an extension request.

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

RR45-91493 GARDAHN INC. – Chairwoman Allen noted this on for an extension request. Violation settled and permit issued. No need for an extension.

RR45-92105 CITY OF GARY PARK DEPT. – Chairwoman Allen noted this is on for an extension request.

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

DL03-30800 LG2 FOOD MART LLC – Chairwoman Allen noted this is on for an extension request.

Commissioner Maginn stated the permittee died and documents regarding the death are being reviewed by legal.

Commissioner Maginn moved to approve a 90-day extension to allow time for review. Commissioner Jones seconded. The motion was unanimously approved,

DL62-33717 SHREE UMIYA NAV SHKTI LLC - Chairwoman Allen noted this is on for a Motion to Reconsider and Reinstate.

Commissioner Maginn stated this permit was made dead in January 2026. The owner was out of the country and their accountant who assisted them did not follow through with filing paperwork, which led to the permit being made dead due to no response from the permittee to notifications. Two renewals are due.

Commissioner Maginn moved to reinstate and continue this for two weeks to allow for the filing of the renewals. Commissioner Jones seconded.

Chairwoman Allen noted the status of this permit had been changed to “pending auction”. If the permit had gone to auction and was sold prior to the request for reinstatement there would be no quota slot for them. She stressed the importance of paying attention to dates and correspondence.

The motion was unanimously approved.

INACTIVE FILES

Chairwoman Allen stated renewals were filed so #DL54-33604, RR06-35320 and RR49-36905 were removed from the dead list.

Commissioner Maginn moved to make 21 permits dead that were previously posted on the January 21, 2026 meeting agenda. Commissioner Jones seconded. The motion was unanimously approved.

Chairwoman Allen stated there are 26 permits posted to be made dead at the February 17, 2026 meeting, who have failed to submit renewals.

OLD BUSINESS

No Old Business

NEW BUSINESS

No New Business

POLICY DETERMINATIONS

No Policy Determinations

ANNOUNCEMENTS

2026 AMENDED COMMISSION MEETING DATES – Chairwoman Allen stated the amended meeting dates for 2026 are:

Wednesday, May 6 (Primary Election Day on the 5th)

Wednesday, May 27 (Memorial Day on the 25th) - Escrow Hearing

Wednesday, November 4 (General Election Day on the 3)

ADJOURNMENT

Commissioner Jones moved to adjourn the meeting. Commissioner Maginn seconded. The motion was unanimously approved.

Approved the 17th day of February 2026 by a vote of 3-0