



STATE OF INDIANA  
ALCOHOL AND TOBACCO COMMISSION

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**MEETING MINUTES**

MAY 20, 2025

**CALL TO ORDER/NOTING OF QUORUM**

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

**DISPOSITION OF MINUTES**

Vice Chair Payne moved to approve the minutes of the May 6, 2025 meeting. Commissioner Jones seconded. The motion was unanimously approved.

**PROSECUTOR'S RECOMMENDATIONS**

**PARTIES' AGREED DISPOSITIONS** – Vice Chair Payne moved to approve the Parties' Agreed Dispositions, submitted by Prosecutor Wignall. Sixty-three (63) dispositions were submitted with fines totaling \$42,000.00. Commissioner Jones seconded. The motion was unanimously approved.

**HEARING JUDGE'S RECOMMENDATIONS**

No Hearing Judge's Recommendations

**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 Chair 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 Chair Payne seconded. The motion was unanimously approved.

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

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

## **WAIVERS OF FEES – LETTERS OF EXTENSION**

Vice Chair 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**

RR50-02170 MAYFLOWER INC. – Chair Allen noted this is a renewal with the local board voting 4-0 to deny for failure to appear.

Commissioner Maginn stated this permittee appeared before the local board but was not prepared to discuss the violation they were cited for last year. The hearing was continued three times, and the permittee did not appear at any of the continued hearings.

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

RR49-14065 INDY RESTAURANT CONCEPTS INC. – Chair Allen noted this is a renewal with the local board voting 3-1 to approve for one year.

Commissioner Maginn stated the business had violations that are settled. She suggested the permittee focus on providing de-escalation training to assist the employees, based on the violations.

Commissioner Maginn moved to uphold the local board's recommendation to approve the renewal for one year. Vice Chair Payne seconded. The motion was unanimously approved.

DL49-32071 AR13 INC. – Chair Allen noted this is a renewal with the local board voting 3-1 to approve for one year.

Commissioner Maginn stated this permittee has had violations in the past for serving minors alcohol and tobacco.

Commissioner Maginn moved to uphold the local board's recommendation to approve a one-year renewal. Vice Chair Payne seconded. The motion was unanimously approved.

RR49-36555 MIMI'S EVENT LOUNGE LLC – Chair Allen noted this is a renewal with the local board voting 2-2.

Commissioner Maginn stated the permittee was in the process of selling the permit to someone who was operating the business under a Manager's Questionnaire. However, that manager had problems and received violations. The permittee no longer is selling the permit to that manager and the permittee placed the permit in escrow and is wanting to transfer to someone else. The new transfer was filed on Friday.

Commissioner Maginn moved to approve the renewal for transfer purposes only. Commissioner Jones seconded. The motion was unanimously approved.

Chair Allen stressed that this was a close call and it does not constitute an overturning of the local board.

DL29-31993 AJAY PETROLEUM INC. – Chair Allen noted this a renewal with the local board voting 4-0 to deny. The permit was granted a one-year renewal in 2024 due to violations for sale to minors. There

were additional violations after that renewal. The permittee requested the permit be placed into escrow the day before the 2025 local board hearing and for the ability to file a transfer. The tobacco certificate for this location also has a pending violation. The Chair stated the attorney representing the permittee filed a request for the permit renewal to be granted and allow for an arm's length transfer application to be filed.

Chair Allen moved to uphold the local board's recommendation, but to hold the permit in escrow and allow six months for a transfer to be filed. Commissioner Jones seconded.

Commissioner Maginn noted there are discrepancies in the sales figures and she would like those to be clarified.

The Chair amended the motion to include clarification of the sales figures. Commissioner Jones seconded the motion and noted that the permittee listed the fair market price of the permit to be \$750.

Vice Chair Payne stated with all the violations, he would not consent to the motion.

The motion was approved 3-1.

RR49-40045 MIAMI'S GARDEN LLC – Chair Allen noted this is on for a request to remand to the local board.

Commissioner Maginn stated the renewal of this permit was not scheduled for local board, as required, due to violations. The permittee also needs an extension.

Commissioner Maginn moved to remand the renewal to the local board and approve a 90-day extension. Commissioner Jones seconded. The motion was unanimously approved.

RR22-41955 BLEUPRINT HOSPITALITY LLC – Chair Allen noted this is a new application with the local board voting 4-0 to deny.

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

RR49-37227 SALTY LEMON INC. – Chair Allen noted this is a Motion to Reconsider the previous denial of the renewal and to allow the permittee to file an arm's length transfer application and withdraw the appeal. Also, the permittee just settled a violation.

Chair Allen moved to allow six months for the filing of an arm's length transfer and to dismiss the appeal. Vice Chair Payne seconded.

Commissioner Jones stated the dismissal of the appeal should be granted with prejudice. Chair Allen amended the motion to dismiss the appeal with prejudice. Vice Chair Payne seconded. The motion was unanimously approved.

RR45-03748 CROWN POINT TAVERN CORP. – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated a corrective action plan was received and moved to grant the remainder of the 90-day extension that was previously granted. Commissioner Jones seconded. The motion was unanimously approved.

Vice Chair Payne commented that #3 on the corrective action plan should be stronger.

WH49-30104 & WH49-30105 D & E SPIRITS LLC – Chair Allen noted this is on for an extension request and the renewal applications are being reviewed by a Commissioner.

Chair Allen moved to approve the extension request. Commissioner Maginn seconded. The motion was unanimously approved.

RH49-30177 MWA LLC – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated there are ownership issues with this permittee and moved to approve the second extension request. Commissioner Jones seconded. The motion was unanimously approved.

RC71-05769 ST. JOSEPH YOUNG MEN'S SOCIETY INC. – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated there are issues with signatures not matching and the certificate of insurance is expired. Commissioner Maginn moved to approve the extension conditioned upon receipt of the certificate of insurance. Commissioner Jones seconded. The motion was unanimously approved.

Vice Chair Payne stated the extension request needs to be filled out completely and signed by appropriate personnel.

DL08-33606 MVP FOODS, LLC – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated there was a processing error by the Commission and moved to approve a fee-waived extension. Commissioner Jones seconded. The motion was unanimously approved.

RR09-95407 RITCHIE-FRANK COMPANY INC. – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated this permittee needs to submit a certificate of insurance. Commissioner Maginn moved to approve the request for an extension conditioned upon receipt of certificate of insurance. Commissioner Jones seconded. The motion was unanimously approved.

DL48-33720 PENDLETON MARKET INC. – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated this permittee failed to provide food sales figures and moved to approve a two-week extension to allow time for the sales figures to be submitted. Commissioner Jones seconded. The motion was unanimously approved.

Chair Allen stressed that if applications were filled out correctly there would be no need to pay for an extension.

RC61-89315 AMVETS PARKE COUNTY POST #61 – Chair Allen noted this is on for an extension.

Commissioner Maginn stated the renewal was denied and an appeal was filed. The permittee asked for an extension to continue to operate during the appeal process. The Commission has not received a corrective action plan.

Commissioner Maginn moved to approve a two-week extension to allow time for a corrective action plan to be submitted. Chair Allen seconded.

Commissioner Jones asked if the two weeks would begin today or the day the current extension expires. Commissioner Maginn stated the two weeks would begin today.

Vice Chair Payne stated he is assigned as the hearing judge for the appeal so he will abstain from voting.

The motion was approved 3-0 with 1 abstention.

Chair Allen asked the commissioners to approve the addition of the next three permits to the agenda by consent. Consent was granted.

RR56-05544 MOROCCO HILLTOP LLC – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated this permittee has a pending violation that has not been settled and has not provided a corrective action plan. Commissioner Maginn moved to approve a two-week extension to allow time for movement on settling the violation and submission of a corrective action plan. Commissioner Jones seconded. The motion was unanimously approved.

Vice Chair Payne stated the request for an extension stated “I was told by the ATC I would need one.” He feels the permittee is avoiding the issues rather than solving them.

RR29-23672 HINO OISHI LLC – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated the permittee failed to appear at the local board hearing regarding their violations. Also, a corrective action has not been received. The current extension expires on June 9<sup>th</sup>. Commissioner Maginn moved to approve an extension until June 24<sup>th</sup> to allow operations to continue until the local board hearing, and the filing of a corrective action plan. Commissioner Jones seconded. The motion was unanimously approved.

RR29-37078 ECKCEED ECKSPECTATIONS RANGELINE ROAD LLC – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated the renewal is incomplete. Also, the certificate of insurance and a corrective action plan have not been received.

Commissioner Maginn moved to approve a two-week extension conditioned upon submission of a certificate of insurance and a corrective action plan. Commissioner Jones seconded. The motion was unanimously approved.

### **INACTIVE FILES**

Commissioner Maginn moved to make 25 permits dead that were previously posted on the May 6, 2025 meeting agenda. Commissioner Jones seconded. The motion was unanimously approved.

Chair Allen stated there are 22 permits posted to be made dead at the June 3, 2025 meeting, who have failed to submit renewals.

## ANNOUNCEMENTS

LEGISLATIVE UPDATE WEBINAR – Chair Allen stated legal staff is preparing a new legislative update webinar on June 5<sup>th</sup> at 10 am. CLE credit will be given.

2025 AMENDED COMMISSION MEETING DATE – Chair Allen stated the next 2025 Amended Meeting Dates are:

- Wednesday, May 28, 2025 (escrow hearings)
- Wednesday, September 3, 2025 (Commission meeting)
- December 2025 (no escrow hearings)

## ADJOURNMENT

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

Approved on this 3<sup>rd</sup> day of June, 2025.

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Jessica Allen, Chair

Signed by:  
  
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James W. Payne, Vice Chair

Signed by:  
  
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Marjorie Maginn, Commissioner

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Mark A. Jones, Commissioner