



STATE OF INDIANA
ALCOHOL AND TOBACCO COMMISSION

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MEETING MINUTES

June 17, 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 from the June 3, 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. Eighty-one (81) dispositions were submitted with fines totaling \$53,800.00. Commissioner Jones seconded. The motion was unanimously approved.

HEARING JUDGE'S RECOMMENDATIONS

TC17174001 ADAM CONVENIENCE LLC – Vice Chair Payne, who sat as hearing judge in this matter, stated this permittee was cited for violations. The permittee never appeared for any scheduled hearings and never made an attempt to settle the violations.

Vice Chair Payne moved to revoke the tobacco certificate. Commissioner Jones seconded. The motion was unanimously approved.

TC16716001 MF VAPOR LLC – Vice Chair Payne, who sat as hearing judge, stated this permittee was cited for violations. The permittee never appeared for any scheduled hearings and never made an attempt to settle the violations.

Vice Chair Payne moved to revoke the tobacco certificate. Commissioner Jones seconded. The motion was unanimously approved.

CONSIDERATION OF APPLICATIONS

Chair Allen asked the Commission to remove permit #DL49-33441, DL49-31056, and DL49-33964 from Consideration of Applications list and move them to the Items for Discussion. Request was granted by consent.

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 moved 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 Maginn seconded. The motion was unanimously approved.

ITEMS FOR DISCUSSION

RR49-38051 OHSR ENTERPRISE LLC – Chair Allen noted this is a renewal with the local board voting 3-0 to deny.

Commissioner Maginn stated the Indianapolis Metropolitan Police Department was present to remonstrate. Information regarding violence at the bar and overservice of patrons was provided. The permittee has submitted a corrective action plan.

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

RR91-39491 MIRANDA JOSE LLC – Chair Allen noted this is a renewal with the local board voting 3-0 to deny.

Commissioner Maginn stated the permittee was unable to explain the ownership, which made the local board question whether there is a false ownership issue.

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

RR91-42288 IDEAL MIRANDA LLC – Chair Allen noted this is a transfer with the local board voting 3-0 to deny.

Commissioner Maginn stated there was an extensive discussion at the local board hearing regarding possible false ownership.

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

Vice Chair Payne stated it seemed like the applicants were not able to describe the roles of each person affiliated with this application.

RR50-02170 MAYFLOWER INC. – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated this permit renewal was denied at the local board. The permittee failed to appear before the board because he did not want to discuss his possible criminal offenses in a public setting.

Commissioner Maginn moved to deny the request for extension. Commissioner Jones seconded. The motion was unanimously approved.

RR49-33618/CT49-30923 JOHALRAN INC. – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated this permit is under appeal. The appeal hearing was held but the Findings have not been completed. A corrective action plan was provided by the permittee. If the corrective action plan is adhered to, the Commissioner thinks the problems may be taken care of.

Commissioner Maginn moved to approve a 90-day extension that includes the supplemental catering permit. Commissioner Jones seconded.

Commissioner Jones stated he is the hearing judge for the appeal. The permittee filed proposed findings, but they have not been reviewed. The Commissioner voted for the extension but noted the vote has no bearing on how he will rule in the appeal.

Vice Chair Payne stated his position on not voting to approve 3rd extensions is clear. However, because this is under appeal and waiting for Findings to be completed, he will vote for it.

The motion was unanimously approved.

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

Commissioner Maginn stated the permittee has settled the violation and submitted a corrective action plan.

Commissioner Maginn moved to approve the remainder of the 90-day extension. 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 permittee settled the violation and all missing documents have been submitted.

Commissioner Maginn moved to approve the remainder of the 90-day extension. Vice Chair Payne seconded. The motion was unanimously approved.

RR49-18464 THE CHEESECAKE FACTORY RESTAURANTS INC. – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated the extension is needed because the local board hearing for the renewal is scheduled for July 7th.

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

There was a question as to whether a certificate of insurance was submitted. Deputy Director Serak verified it was.

RR46-31995 BNG ENTERPRISES LLC – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated this is a second extension request. There is a tax protest on file.

Commissioner Maginn moved to approve the extension request conditioned upon the tax protest being cleared. Commissioner Jones seconded.

Commissioner Jones stated he was confused about how many extensions have been granted and the timing of those extensions. He assumed the business was closed some of the time over the last several months and the last extension expired on June 4th, so he stated the business should be closed until the taxes are paid and the extension issued.

The motion was unanimously approved.

RR29-37101 IVENS ENTERTAINMENT LLC – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated the permittee submitted a tax clearance. The renewal is scheduled for the July 1st Commission meeting.

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

RR19-36346 TAQUERIA VALLARTA MEXICAN GRILL CORP – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated this permittee has a pending violation, and a tax protest.

Commissioner Maginn moved to approve the extension conditioned upon a corrective action plan being submitted, continued movement on settling the violation and the tax protest being cleared. Commissioner Jones seconded. The motion was unanimously approved.

RR49-39282 ICE BAR AND LOUNGE LLP – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated this permittee had a couple of violations that were recently settled. The local board has been scheduled several times, and the permittee has not appeared. It is scheduled for the July 7th local board hearing.

Commissioner Maginn moved to approve an extension until July 15th. Commissioner Jones seconded.

Chair Allen noted notices have been sent regarding the local board dates and the last one was sent by certified mail, signed for by the permittee, but the permittee still did not appear. The Chair stated this is the final opportunity to appear before the local board. Whether the remainder of the 90 days left of the extension is granted will be based on whether the permittee appears at the local board hearing as required.

The motion was unanimously approved.

RR49-36138 ALL ROUND SERVICE AND REPAIRS LLC – Chair Allen noted this is on for the revocation of the current extension letter.

Commissioner Maginn stated there is a tax protest on the permit and it appears someone known to be a problem permit holder is currently managing and trying to purchase this permit, but that information has not been disclosed by the permittee to the Commission. The current owner has been unreachable.

Commissioner Maginn moved to revoke the extension. Vice Chair Payne seconded. The motion was unanimously approved.

DL77-33504 DEV GROUP 8 INC – Chair Allen noted this is on for an extension request.

Commissioner Maginn stated the complete renewal application was received late.

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

DL49-33441 CENTRAL INDIANA PACKAGE GROUP LLC – Chair Allen stated this permit was removed from the renewal list for today's meeting. On June 2nd, the Commission received what appeared to be a tax clearance for the Department of Revenue (DOR) for this permittee and the local board approved the renewal. On June 3rd, the Commission approved an extension. Since that time, DOR and the Commission have determined the tax clearance was forged. The tax protest is still valid.

Chair Allen moved to reverse the local board and deny the renewal based on the new information because it was arbitrary, capricious, not supported by substantial evidence and the applicant is not of good moral character. She also moved to revoke the extension and issue a pickup order today. Vice Chair Payne seconded. The motion was unanimously approved.

DL49-33964 CENTRAL INDIANA PACKAGE GROUP I-2 LLC – Chair Allen stated is a transfer from permit #DL49-31056 that was approved by the local board on June 2nd. The renewal was approved in February. There was a tax protest on the permit. The Commission received a tax clearance that was found to be forged.

Chair Allen moved to deny the transfer because the active permit is not in good standing, making the local board's recommendation arbitrary, capricious and not supported by substantial evidence. Vice Chair Payne seconded. The motion was unanimously approved.

DL49-31056 LIQUOR DEPOT LLC – Chair Allen moved to reverse the approval of the renewal because it was based on false information making the applicant not of good moral character. She also moved to issue a pickup order today. Vice Chair Payne seconded. The motion was unanimously approved.

DL49-33961 CENTRAL INDIANA PACKAGE GROUP I-1 LLC – Chair Allen stated this is a transfer application. The permit being transferred is #DL49-30349. That permit had a tax protest that was cleared in December 2024. It is unclear whether that tax clearance was valid.

Chair Allen moved to continue this transfer until July 1st. Commissioner Jones seconded. The motion was unanimously approved.

INACTIVE FILES

Chair Allen requested permit #RR49-07877 be removed by consent from the list to be made dead. Consent was granted.

Commissioner Maginn moved to make nine (9) permits dead that were previously posted on the June 3, 2025 meeting agenda. Vice Chair Payne seconded. The motion was unanimously approved.

Chair Allen stated there are thirteen (13) permits posted to be made dead at the July 1, 2025 meeting, who have failed to submit renewals.

ANNOUNCEMENTS

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

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

ADJOURNMENT

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

Approved this 1st day of July, 2025.

DocuSigned by:

Jessica Allen

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Jessica Allen, Chair

Signed by:

James Payne

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James W. Payne, Vice Chair

Signed by:

Marjorie Maginn

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Marjorie Maginn, Commissioner

Signed by:

Mark Jones

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Mark A. Jones, Commissioner