



STATE OF ARIZONA
ARIZONA STATE LIQUOR BOARD
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DOUGLAS A. DUCEY
Governor

MICHAEL TROYAN
Board Chair

JOHN COCCA
Director

Arizona State Liquor Board Hearing Minutes
June 1, 2017

Members Present: Michael Troyan – Chair, Troy Campbell – Vice Chair, and Michael Widener
Members Absent: None
Counsel Present: Michael Raine, Assistant Attorney General
Staff Present: Denise Bale, Board Administrator

A. Call to Order

The hearing of the Arizona State Liquor Board was called to order on June 1, 2017 at 10:00 a.m. with Mr. Troyan presiding.

Roll Call

All members were present.

B. 10:00 a.m. Agenda: Review, consideration and action

1. Beer and Wine Store Liquor License No. 10076843 – Original Application

Brandon Thompson Marx
All In One General Merchandise II LLC
All In One General Merchandise
3400 E. Thomas Road
Phoenix, AZ 85018

This matter was set for hearing because the City of Phoenix recommended disapproval based on a Street Transportation Department recommendation for disapproval, pursuant to A.R.S. § 4-207 which restricts liquor licenses within 300 feet of churches and schools. The Applicant, Brandon Thompson Marx and All In One General Merchandise II LLC, did not appear at the hearing and was not represented by counsel. Nathan J. Watts represented the City of Phoenix (“City”). Lester Morley appeared in support of the City.

Mr. Watts presented a summary of the discovery materials. Mr. Morley is employed by the City Streets Department in the Survey Section. Mr. Morley prepared the aerial maps and measured the distance between All In One Merchandise and Potters House Sanctuary to be 181 feet and 6 inches. Potters House Sanctuary advertises hours of worship services. There is a banner displayed that specifically denotes them as a church. Mr. Watts spoke with the pastor, and he confirmed that the church has been in operation at that location for 20 years.

Mr. Widener made a motion regarding Liquor License No. 10076843. In the matter of this original application, I move that it be denied. We have no evidence refuting the evidence that was presented by the City as the protesting party. Therefore, and although that is something of a technical argument, the proximity to a church, it still is statutory. I would also make an observation that there is a Tower Liquors on the same side of the street at 34th Place, one block

away. While the City didn't present that evidence, it would be hard to make a compelling argument that the public convenience is well served by having a second liquor store within walking distance of another one, and that coupled with the fact that it is too close to the church seems to work against granting this original application. And so I move that we deny it.

Motion to deny license -	Widener
Seconded -	Campbell
Yay -	Widener, Campbell, Troyan
Nay -	None
Abstained -	None
Disposition -	Application denied

2. Bar Liquor License No. 06100244 – Location Transfer Application

From:	To:
Michael Conrad Kramkowski, Agent	Michael Conrad Kramkowski, Agent
Krism LLC	Krism LLC
Bottoms Up	The Blind Tiger Restaurant & Bar
3710 N. Oracle Road	628 N. 4 th Avenue
Tucson, AZ 85705	Tucson, AZ 85705

This matter was set for hearing because of public protest. The Applicant, Michael Conrad Kramkowski and Krism LLC, appeared at the hearing and was represented by counsel, Thomas R. Aguilera. Mr. Kramkowski was sworn and testified. Alvaro Kramkowski appeared in support of the Applicant. Public protestor Suzanne Schafer was sworn and testified. Public protestor Ford Burkhart did not appear at the hearing and was not represented by counsel.

Mr. Aguilera requested a short break to meet with his client. The Board recessed from 10:08 a.m. to 10:12 a.m.

Mr. Aguilera presented an opening statement and asked Mr. Kramkowski to narrate his capability, qualifications and reliability. Mr. Kramkowski has owned a liquor license on Fourth Avenue (IBT's) for 12 and a-half years. There have been zero liquor violations at that location within the last five years. The license being transferred is a series 6 from a bar (Woody's) to The Blind Tiger Restaurant & Bar. Mr. Kramkowski discussed his working relationship with the Tucson Police Department, Tucson City Council, and neighbors in the area. The hours of operation will be 4:00 p.m. to 11:00 p.m. The restaurant floor plan does not include the patio at this time. Mr. Aguilera's questioning included noise, music and security at IBT's and how Mr. Kramkowski intends to handle those issues at The Blind Tiger Restaurant & Bar. There were questions from the Board.

Suzanne Schafer addressed the Board. Mr. Aguilera did not cross-examine Ms. Schafer. There were questions from the Board. Mr. Aguilera presented a closing statement.

Mr. Campbell made a motion: Regarding Liquor License No. 06100244, the Board establishes that the Applicant is capable, qualified and reliable, as required by A.R.S. § 4-203, to hold a liquor license. And based on the following location factors: the need for a restaurant be filled in that area; met with Tucson PD, a City Council member and different neighborhood associations about the location; met with City development at the location and understands that no patio at this time which will be a strong advocate for less noise, and also due to the fact that only ambient music within the restaurant and no amplified music will be played; and this will be a location serving all kinds of food including, appetizers, entrees, desserts, we find that the public convenience does require and that the best interest of the community will be served as required by Section 4-203(A) by granting the liquor license to this location and that the application for the location transfer be granted.

There was Board discussion.

Motion to grant	
Transfer application -	Campbell
Seconded -	Widener
Yay -	Campbell, Widener, Troyan
Nay -	None
Abstained -	None
Disposition -	Application granted

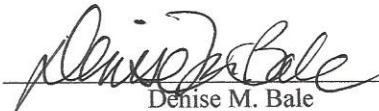
C. Reports on Current Events, Matters of Board Procedure, Requests and Items for Future Agenda

There was Board discussion about scheduling matters in August and training for upcoming meetings.

D. Call to the Public

None.

The Board adjourned at 11:31 a.m.



Denise M. Bale
Administrator of the
Arizona State Liquor Board



Date