

February 12, 2020
9200 Basil Court
Largo, MD 20774

THE BOARD OF LICENSE COMMISSIONERS MET IN REGULAR SESSION:

PRESENT:

Daphne Turpin Forbes, Chairman
Armando Camacho, Vice Chairman
Kenneth Miles, Commissioner
Tammie Norman, Commissioner
Benjamin Rupert, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Cristian Mendoza, Deputy Chief Liquor Inspector
Brian Hubbard, Deputy Chief Liquor Inspector
Nikole Bennett, Administrative Aide
Keyanna Little, Administrative Aide
Katrice James, Administrative Aide

Time: 7:04 p.m.

In the matter of **t/a 5 Sisters**, 12617 Laurel Bowie Road, Laurel, 20708, Class BLX, Beer, Wine and Liquor – Request to Extend the Hours of Operation.

Licensee is represented by Leonard Casalino, Esquire.

Leonard Casalino, Esquire stated that he filed a petition to extend the hours of operation on Friday and Saturday evening.

Bianka Mbeng stated that she is a resident of Laurel.

Alfred Atanga stated that he is a resident of Lanham.

Florence Ndi stated that she is resident of Laurel.

Blanche Mbeng stated that she is a resident of Laurel.

George Mbeng stated that he is a resident of Laurel.

Harriett Mbeng state that she is a resident of Laurel.

Fabrice Neba stated that he is a resident of Laurel.

Corporal Ejimnkeonye stated that he is a resident of Palmer Park; that he is a Corporal with the Prince George's County Police Department; that he works in this area.

Kevin Awah stated that he is a resident of Hyattsville.

Divine Anjeh stated that he is a resident of Lanham.

Leonard Casalino, Esquire stated that the Board restricted the hours of operation when the family first received the license; that the family bought the business in 2014; that they obtained a Beer and Wine license at first in 2016; that they then converted the license to a Class BLX; that the Class BLX license was issued with an agreement between the Board, the owners of the business and the community that the business would close at midnight even though the legislation allows this class of license to remain open until 2:00 a.m.; that they have had Prince George's County Police Department monitor the area; that the Corporal can attest that there have been no shoots or calls for service for the parking lot; that they have provided letters of support; that he

understands there are letters in opposition; that the letters from the opposition say there has been violence and shooting at the establishment; that neither have taken place in 13 years since the old establishment was closed; that that the Board should not hold the current licensees responsible for the mistakes of the previous owners; that they only want to extend the hours on Friday and Saturday night; that the legislation allows for Class BLX licenses to be open until 2:00 a.m.; that the legislation on the license the establishment is issued every year states 2:00 a.m.; that he told them to follow the rules including the hour restrictions placed.

Ms. Turpin Forbes asked what the agreement was that was made.

Leonard Casalino, Esquire stated that all he has in regards to the agreement is the letter from the Board approving the license; that the agreement was worked out in the hearing; that the Board also agreed that the licensee is able to request an extension of the hours every six months; that they requested an extension of hours in 2017; that the Board denied the request; that he believes the decision to deny the extension was unfair and appealed to the Circuit Court; that the Court ruled that they did not meet the burden of proof and ruled in favor of the Board; that they waited and have come back to make the request; that he believes the Corporal is the best testimony to the way the establishment is currently run; that the last three years the establishment has not had a violation, any problems, and no calls for service involving the restaurant; that the family is from Cameroon; that the parents brought over their children; that the location has been a few different restaurants; that the current restaurant serves African cuisine.

Corporal Ejimneonye stated that he goes by EJ for short; that when the restaurant opened they had part time off duty officers to ensure there are no disturbances or problems; that Corporal Aiken turned the security over to him; that he is responsible for assigning officers to the location; that he was present for the previous appeal; that the violence occurred prior to them purchasing; that there is not violence anymore; that the presence of the Prince George's County Police Department presence helps; that they interact with patrons; that they ensure everyone is on the same level and want to help the business do well; that he supports extending the hours because it is a family oriented establishment; that they have birthday parties and celebrations there; that they do not get rowdy; that an extension of the hours will help the business with their revenue; that they will have officers there with the extension of hours; that he believes they were on a probationary period until now; that there have been no calls for service; that there were missteps in the beginning and they have been corrected; that the sisters keep the peace; that they are quick to bring in the officers for any issues; that they take steps to ensure the community is taken care of; that if the Board grants the extension and there are problems they can always change the hours back.

Ms. Turpin Forbes asked for an example of the missteps.

Corporal Ejimneonye stated that they have customers that want to stay past midnight and they have to tell them to go and they get upset; that there was an event where a gentleman took alcohol, a bottle of beer, outside; that the Board issued a violation for this incident; that they corrected the issues; that they are quick to correct any issues when they falter; that they may have more officers assigned if there are more patrons.

Mr. Camacho asked how many officers are currently on the premises at one time.

Corporal Ejimneonye stated never more than one officer at a time.

Bianka Mbeng stated that she is the last sister actively involved in the restaurant; that they want to extend the hours because the restaurant is typically empty during the day; that when they are closing people try to come in; that part of their culture is to eat late; that they are hardly able to

stay open with the current amount of business; that they all have to work other jobs; that they do the cooking themselves; that all of the sisters are involved in the restaurant to some extent.

Ms. Turpin Forbes asked if there are ever customers.

Bianka Mbeng stated that the parking lot is full when they are trying to close; that they have to turn people away.

Ms. Turpin Forbes asked how long the business will be able to survive this way.

Bianka Mbeng stated she is not sure; that the restaurant was her parents dream; that she works three jobs to help keep the place open; that her sisters work and help their mom as well; that it is a mellow atmosphere; that the people who come in are families and older people; that it is peaceful.

Ms. Turpin Forbes stated that in 2016 the Board granted the license, but with conditions; that she wants to know what the conditions are.

Bianka Mbeng stated that they agreed to the hours and to have Prince George's County Police officers on the premises for security; that they always had officers, even when there weren't customers; that the reason for the officers was the security concerns.

Ms. Turpin Forbes asked about the community outreach and involvement; that they need to reach out to the community to talk to the naysayers.

Bianka Mbeng stated that they do, and they have hosted council member campaign meetings, weddings and birthday parties.

Ms. Turpin Forbes asked if there are cameras on the premises.

Bianka Mbeng stated that there are; that they have cameras inside and outside; that the parking lot is well lit; that they are in the shopping center with the Walgreens and a Food Lion.

Mr. Camacho stated that he was on the Board in 2005-2010; that there was a restaurant there previously; that they had shootings, stabbings and violence; that they had to close the establishment; that they had a history of violence at the location that has nothing to do with the current licensees; that the Use and Occupancy Permit even has restrictions; that the Board understands they are trying and has support from Cicale and the a lot of the community; that they may need to do more outreach.

Leonard Casalino, Esquire stated that they have submitted documents from patrons; that he feels that they have met the Board's previous requirements to have the hours be extended; that they have provided the document sent by the Board regarding the restrictions from 2016; that he feels that after four years there has been time to see they are not there to cause trouble; that the Corporal provided a good idea; that they should be allowed to have the extension in hours and the Board can always take away the permission should any problems occur; that they are not requesting the hours be extended all seven days, just two days a week.

Ms. Turpin Forbes stated that the Board will hear from the opposition first since there are more members in support.

Ted Agres stated that he is a resident of Laurel; that he is here in opposition; that he also has a letter from Mr. Stone regarding his opposition; that Mr. Stone is currently ill and unable to attend the hearing; that he is very active in the community and safety in Laurel; that he is a part of an organization that was founded years ago from the violence that was occurring in this area; that he strongly opposes an extension of the hours of operation; that he believes extending the hours will invite the trouble and violence that was here years before that this is the same space as Jay's Café; that there was gruesome violence there including three deaths; that he understands the current licensee was not the owner then or affiliated with the business, but there is still long

standing history there; that the Board recognized the danger when granting the license and placed restrictions; that the Board granted the extension of the hours of operation to midnight in 2016; that the community was not in agreement.

Ms. Norman asked if Mr. Agres knew of any violations in 2017 and prior or any incidents since they moved into the space; that she doesn't understand the issue.

Ted Agres stated that the problem is the lost trust in the establishment; that they had minor missteps when they opened and were fined heavily for the violations; that the violations were for staying open past time; that he does not know of any violations since late 2017; that the previous violations and going against the agreement has caused a lack of trust between them and the community members he represents; that he believes the management is not experienced and don't know how to handle the problems; that there are not any other restaurants nearby that are open past 2am in the city of Laurel besides possibly chain restaurants.

Ms. Turpin Forbes asked if the concerns are based on fear of violence or a question of the licensees' management skills; that she wants to understand if there is violence currently going on, or violations, or if it is just a gut feeling.

Ted Agres stated that he remembers when the Board considered allowing the establishment to be open until midnight; that there were concerns of the establishment turning into a night club or a lounge; that the repeated violations show a management problem; that he feels the continued to push to be open later and later shows the establishment is not as family friendly; that being open until 2am allows for the potential to violence; that he understands the plight they are having and sympathizes with the owners about the lack of customers; that he looked up reviews on Yelp and has an MBA; that he believes the problems are not from the hours but the food and the customer service; that of the 37 reviews since 2015, 22 of them are one star and seven are two star; that he has printed the last 12 months reviews; that most of the reviews state there are problems with the food, service, and prices; that he recommends they focus more on the food and service and their business should increase; that the problem is people don't seem to like the establishment, not the hours.

Ms. Turpin Forbes asked if since Mr. Agres has an MBA and experience if he has offered to reach out or help the licensee.

Mr. Agres stated that he had just looked today; that he was shocked by the reviews; that he has not done much outreach; that they have not done outreach asking for help.

Blanche Mbeng stated that she is one of the sisters; that the extension is important; that they have been in the space for five years; that she feels they have proven to not be violent or to have that type of people in their establishment; that it is a habit in their culture to dine late into the night; that it is a large space; that they have tried to prove they are good people; that the originally planned to be like Buffalo Wild Wings and T.G.I. Friday's; that they want to close at 2am, but it doesn't make them a night club or a lounge.

Alfred Atanga stated that he has been a patron since they opened; that he has been there for birthdays and graduations; that they don't have gravies there; that they eat what they eat at home; that it is their heritage; that it is good food; that they don't go online and rate the meals; that their family meals are late at night.

Kevin Awah stated that he is one of those people that tries to come in at 11:00 p.m.; that he meets people at 5 Sisters that are from similar areas and similar cultures; that there is an African proverb that when they meet underneath the moonlight they share more than food; that eating

late is grounded in more than who they are; that he works multiple jobs; that he goes there for food when he is free.

Divine Anjeh stated that 5 Sisters has been there for years; that the customers they have are mature adults; that there are children there with their family; that he misses all the family parties because he can't get there before 11:00 pm typically; that they always card people; that some people look for the negative and he looks for the positive.

Chaz/Kevin** stated that he is a resident of Lanham; that he managed 5 Sisters for four months; that he believes they should be given a chance; that it will give a chance for them to change the narrative; that the area wasn't good; that that they are working to change the area; that if anything goes wrong they can take away their permission; that the community doesn't realize it is a new place; that they try the food and don't like it; that it is good food; that it isn't what they're used to.

Harriett Mbeng stated that she is the third sister; that the restaurant should be given a chance; that they have put their blood and sweat into the success; that she works as an occupational therapist; that she believes people can ensure in the safety there.

Leonard Casalino, Esquire stated that he believes anything prior to 2016 should not be used against the current licensees; that the Board shouldn't have used previous acts against the current licensee when the license was issued; that Jay's Café was a pub and a biker bar; that to compare the two is inappropriate and unfair; that they did not have any violations in 2017; that they have lived up to the agreement they came to with the Board; that they were told they were allowed to come back to request a reconsideration.

Ms. Turpin Forbes stated that she understands both sides testimony; that it is important to have balance; that she has listened to both the opposition and the support and the licensees plight; that she is encourage by the progress made over the previous four years; that she understands the location comes with baggage; that she understands the licensee has had to deal with that a long time; that they need to abide by the Rules and Regulations, laws and follow the accommodations for the public.

Mr. Camacho stated that he believes they can come to a compromise and extend the closing time on Friday and Saturday to 1:00 a.m. on Friday and Saturday and the matter could be revisited in six months provided there are no violations or complaints.

Mr. Miles stated that he agrees; that he wants the licensee to understand they need to be more involved with the community in opposition to game more support.

Ms. Norman stated that she understands communication wont be easy; that the differences are based on previous licensee; that she believes they can possibly later grant a further extension for the hours of operation; that she believes the extension is to accommodate the culture of the public and not to turn into a club, but as a restaurant; that they will need to continue having officers and can extend to 1:00 a.m.; that if there are problems they risk losing the extension, but with no violations she believes they can work to having the hours extended to 2:00 a.m.

Mr. Camacho moved to approve the request to extend the hours of operation to 1:00 a.m. and for the matter to be revisited in six months to check on the progress of the licensee and evaluate a possible reduction or extension of the hours of operation, seconded by Ms. Norman and made unanimous by Mr. Miles and Ms. Turpin Forbes.

In the matter of **t/a Beclaws**, 6450 America Boulevard, Suite 105, Hyattsville, 20782, Class BLX, Beer, Wine and Liquor – Special Entertainment Permit.

Vu Huynh stated that he is a resident of Rockville; that in 2017 he applied for a Special Entertainment Permit initially; that he had first opened and was facing hardship and chose not to renew the permit; that the concept of his restaurant was new to the area; that he expected to be busier than he was; that he had jazz and a Disc Jockey; that the restaurant was a new seafood concept; that his restaurant was more expensive; that no one came when they had entertainment; that since he has had made more progress he wants to reapply for entertainment; that he has built a good base of customers now; that he wants to change his application to reflect a Family Entertainment Permit because he understands his Use and Occupancy Permit does not allow entertainment past 2:00 a.m.

Ms. Turpin Forbes asked if there really is Family Entertainment or if it is actually Special Entertainment and he just wants to change the hours; that the two entertainment don't mix; that Mr. Huynh needs to think about what he really wants for his entertainment; that Corporal Cicale is not present today.

Ms. Norman stated that the Security Plan approval from Corporal Cicale states Family Entertainment.

Ms. Turpin Forbes stated that she wants to ensure the business matches the entertainment permit being applied for.

Vu Huynh stated that he plans to have a Jazz band or a Disc Jockey; that when he applied before there wasn't a Family Entertainment Permit; that he does not intend to have dancing.

Ms. Turpin Forbes stated that she feels like a Jazz band is appropriate for a Family Entertainment, but a Disc Jockey not so much; that they can amend the application and entertainment or go forward and keep the application as a Special Entertainment Permit, but follow the Use and Occupancy Permit restrictions, but Corporal Cicale would have to update the Security Plan.

Vu Huynh stated that he had submitted a Special Entertainment Permit Security Plan; that Corporal Cicale put Family Entertainment on the form; that he wants the music while people eat; that there are mostly older people and families that eat there; that there are not typically younger people that are looking to dance.

Ms. Turpin Forbes stated that the Disc Jockey would also need to play wholesome music that is appropriate for families; that Mr. Huynh needs to decide which permit he wants to apply for.

Vu Huynh stated that he would like to change to a Family Entertainment Permit; that he understands the Rules and Regulations; that he understands the restrictions.

Mr. Camacho moved to amend the Special Entertainment Permit application to a Family Entertainment, seconded by Ms. Norman and made unanimous by Mr. Miles and Ms. Turpin Forbes.

Mr. Camacho moved to approve the request for a Family Entertainment Permit, seconded by Ms. Norman and made unanimous by Mr. Miles and Ms. Turpin Forbes.

In the matter of Crystal Konohia, Owner, The Carrington, LLC, **t/a The Carrington Conference & Event Center**, 6451 B Marlboro Pike, District Heights, 20747, Class BLX, Beer, Wine and Liquor (Pending), is summonsed to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about September 24, 2018 an application for a new Class BLX, Beer, Wine and Liquor license was filed, that on or about

December 18, 2018 approval by the Board was granted to the issuance of the license; that the license has not been placed in operation within six months following being granted approval.

Crystal Konohia stated that she is a resident of Clinton.

Carl Williams stated that he is a resident of Bowie.

Crystal Konohia stated that she is the owner; that the establishment was scheduled to open last year; that the license was granted December 2018; that they were granted a six month extension in May of 2019; that they are not open yet; that they requested an additional extension and the Board summonsed her to appear to explain the delays; that Mr. Williams is the landlord and is also doing the construction on the building.

Carl Williams stated that they are having issues with the Department of Permitting, Inspection and Enforcement; that they had to update the HVAC system; that they had to do a redesign; that the roof had to be redone because it wouldn't support the updated HVAC system; that they found the necessary parts and equipment and they have been ordered; that they would take 120-180 days to complete construction; that the existing buildout had to be gutted.

Mr. Camacho moved to withdraw the Board's previous approval for a Class BLX, seconded by Ms. Norman and made unanimous by Mr. Miles and Ms. Turpin Forbes.

In the matter of Jesse Miller, Owner, Pennyroyal Station, LLC, **t/a Pennyroyal Station**, 3310 Rhode Island Avenue, Mount Rainier, 20712, Class B,AE, Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about June 21, 2017 an application for a new Class B,AE, Beer, Wine and Liquor license was filed, that on or about June 25, 2019 approval by the Board was granted to the issuance of the license; that the license has not been placed in operation within six months following being granted approval.

Applicants are represented by Christina Kane, Esquire.

Garrick Lumsden stated that he is a resident of Washington, D.C.

Jesse Miller stated that he is a resident of Mount Rainier.

Christina Kane, Esquire stated that her client's first applied for the license in 2017; that this is the Singer building; that it is a historic building that is a shell; that there was no plumbing or electric; that the Landlord was supposed to deliver the building in better condition; that they have had many problems getting the electric and plumbing taken care of; that they have been granted extensions in the past; that they are almost there; that they thought they would be open by the beginning of Spring; that their current anticipated date is the end of March; that the plumbing is almost done and then the final permit and inspections need to be done; that the final inspections are scheduled for the beginning of March; that this is a highly anticipated opening; that there have been many articles published about the opening; that they have a chef and a menu; that they have had to jump through many hoops to get everything done.

Jesse Miller stated that Ms. Kane has covered all their hardships; that they really didn't expect the construction to take this long.

Garrick Lumsden stated that they are knowledgeable about running a business that they have been pushing to get the restaurant open; that the permitting took longer than eight months; that they understand they applied for the alcoholic beverage license too early.

Christina Kane, Esquire stated that no one could have anticipated the problems that they have had to deal with.

Mr. Camacho stated that the Board could grant one last 60-day extension if they were sure they could be ready in that time frame.

Ms. Norman asked if they were sure they are really ready to open at the end of March; that there is no furniture or equipment.

Garrick Lumsden stated that the furniture and everything is ordered and ready to be delivered.

Benjamin Rupert, Esquire asked what the plan is if the inspection in March fails.

Garrick Lumsden stated that the inspections are through a third-party contractor; that they can have the inspection expedited; that it doesn't have to be on Department of Permitting, Inspection and Enforcement schedule.

Ms. Turpin Forbes stated that the Board hears this all the time; that it is no fault of the licensees; that they have expired the licenses or withdrawn approval without prejudice in the past; that when they have all the equipment in and are ready to open, they can come back.

Benjamin Rupert, Esquire asked if 60-days is enough time based on the inspection and the progress and how long they have already taken.

Christina Kane, Esquire stated that based on the timeline from all the contractors and inspections they believe they are 30- days out and can open mid-March; that they aren't six months out; that an additional 30 days would give them some wiggle room; that waiting until another hearing would be a financial burden especially with how close they are to completion.

Ms. Turpin Forbes stated that if they are done mid-March, they could reapply for the April hearing.

Mr. Camacho stated that he is in favor of a 60-day extension.

Mr. Miles stated that he agrees.

Ms. Norman stated that she agrees; that she feels the license should automatically expire if not effectuated within the extension.

Ms. Turpin Forbes stated that she does not agree; that they are treating them differently; that this is not fair.

Mr. Camacho moved to grant a 60-day extension to place the license in use and automatically withdraw approval to the granting of a Class B, AE, license if not placed in use by April 12, 2020, seconded by Mr. Miles and carried by Ms. Norman. Ms. Turpin Forbes voted no.

In the matter of Josette Simpson, Manager, Simbell, LLC, **McKenna Jordan Salon Bar**, 7730 Harkins Road, Suite C, Lanham, 20706, Class D, Beer and Wine, is summonsed to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about January 16, 2018 an application for a new Class D, Beer and Wine license was filed, that on or about April 24, 2018 approval by the Board was granted to the issuance of the license; that the license has not been placed in operation within six months following being granted approval.

Josette Simpson stated that she is a resident of Mitchellville.

Anthony Simpson stated that he is a resident of Mitchellville.

Josette Simpson stated that the license was granted and they have had permitting issues with the Department of Permitting, Inspection and Enforcement; that they are down to the final inspection; that the inspection is scheduled to take place in the next couple weeks.

Anthony Simpson stated that they have the same issues most people seem to be having; that there has been lots of turmoil; that he built SOBE and didn't have nearly as many issues and this

establishment doesn't even have food; that the wallpaper and equipment are going in now; that the goal is to be open by March 5, 2020; that the final is being done through a third party.

Ms. Turpin Forbes asked if it would be fair to say that they will be done in April.

Anthony Simpson said that they will be done before that; that if they aren't done before that he will be standing on someone's desk; that he has invested \$400,000 personally into this project.

Mr. Camacho moved to grant a 60-day extension to place the license in use and automatically withdraw approval to the granting of a Class B, AE, license if not placed in use by April 12, 2020, seconded by Mr. Miles and carried by Ms. Norman. Ms. Turpin Forbes voted no.

In the matter of Noumbisie Simo, Member, James Natty, Member, Safari Restaurant and Lounge, LLC, **t/a Safari Restaurant and Lounge**, 9624 Ft. Meade Road, Laurel, 20707, Class B(R), Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Section 4-109(a)(21) of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 47 of the Rules and Regulations for Prince George's County, to wit; That on or about December 31, 2019 the Board of License Commissioners received notice that the Workman's Compensation Policy for the licensed premises was cancelled, effective at 12:01 a.m. on December 22, 2019; that as of January 8, 2020 the licensee has not provided the Board with an updated Workmen's Compensation Certificate; that the licensee has not complied with the laws and regulations relating to the business by failing to maintain a Workmen's Compensation Policy for the licensed premises.

Licensee is represented by Linda Carter, Esquire.

James Natty stated that he is a resident of Silver Springs.

Noumbisie Simo stated that he is a resident of Severn.

Jack Gates stated that he is a resident of Silver Springs.

Linda Carter, Esquire stated that she has a valid Workman's Comprehensive Insurance Certificate.

James Natty stated that they did not have an attorney when they applied for the license; that they have discovered nothing is easy; that the previous owner acted as a manager and did the hiring and even the renewing of the insurance; that they were initially operating under the old owner's permit; that they have everything taken care of now; that they had issues with the trade name even because of a restaurant in Washington, D.C. with the same name and changed the name to help the public understand they're a different business; that the mail wasn't going to the restaurant; that the insurance policy had lapsed; that they have everything taken care of now.

Ms. Norman stated that there were almost two months they were open and operating without insurance.

Mr. Camacho moved to dismiss the violation, seconded by Mr. Miles and carried by Ms. Turpin Forbes. Ms. Norman voted no.

Respectfully Submitted,

Nikole Bennett
Administrative Aide

Adjourned 9:05 p.m.