

February 20, 2018

Mayor Harold Perrin  
Hand delivered

Re: Alcohol hearing before Council committee

Mayor:

I feel very strongly that this city, and council, should not undertake our first exposure to this appeal process without several details I am not aware of being in place.

1 - It makes no sense to proceed before the ABC issues its findings. If nothing else, such findings, and even testimony from their agents, would be critical evidence for the committee.

2 - It should be conducted basically following the format of a trial, with the committee as the jury. This first of all means the City Attorney should be responsible for acting as prosecutor, and presenting the evidence calling for closure (or whatever punishment is called for). She would organize the evidence from the ABC to be presented.

3 - The committee chair would act solely as judge, to keep the peace and, if called for, rule on issues of procedure.

4 - A reporter (court reporter type) should take the testimony and maybe type a transcript afterwards, if asked for and paid for. Just a video recording might not be sufficient, but the City Attorney should rule on this.

5 - Unless it is organized and presented like this, we very well may find us just one more time being overruled by a court appeal, saying we did not offer the proper hearing.

So, I think you would be smart to postpone the hearing until after ABC action, and see that some of the above is accomplished. Let's get it right, or not do it at all until we get it right. There will be an attorney there

representing the owner who will be glad to point out all the less than perfect things, and the news media will concentrate on that.

So, if you want to avoid doing all this, just convince the comm.. chairman that he should do it, and why, and let him be quoted.

A handwritten signature in blue ink, appearing to be "C. Miller", with a long horizontal flourish extending to the right.