

Council Business Meeting

April 19, 2022

Agenda Item	Endorsement of a Liquor License for Trapdoor Bar and Grill	
From	Tighe O'Meara Ralph Sartain	Police Chief Fire Chief
Contact	Tighe.omeara@ashland.or.us 541-552-2142 Ralph.sartain@ashland.or.us 541-552-2229	

SUMMARY

Staff is bringing information to Council relevant to a pending liquor license application.

POLICIES, PLANS & GOALS SUPPORTED

N/A

PREVIOUS COUNCIL ACTION

In the Council Business meeting on October 2, 2018 Council voted in favor of not approving a liquor a liquor license for the Vinyl Club, the previous business located at 130 Will Dodge Way.

BACKGROUND AND ADDITIONAL INFORMATION

A bar called the Vinyl Club (VC) opened at 130 Will Dodge Way in 2002 (based on initial licensure from OLCC). The VC operated continuously (under various owners) in that location until it was closed in late 2019. When the VC closed the owner surrendered the liquor license to the OLCC to avoid further sanctions for ongoing violations.

Shortly after closing the business was sold the new owners, who are the new applicants attempting to open the business under a new license.

In its final years of operation, the VC was the only remaining “nightclub” in Ashland that had a dance floor. This made it a focal point for the late-night bar crowd. Because of the nature of the VC location at 130 Will Dodge Way, customers waiting to get into the business were compelled to line up on Will Dodge Way. This, along with customers exiting the bar to smoke, created some issues with noise, littering and at times fighting, all of which disturbed the neighborhood to varying degrees. In October 2018, pursuant to Council direction, a letter was prepared by staff, to the OLCC, that requested the VC’s license not be renewed. As a result of that letter several restrictions were placed on the VC’s liquor license. (The letter to the OLCC as well as the restrictions placed on the business by the OLCC as a result are attached.)

Police calls at the VC reached their peak in 2017 with 139 calls for service that year, and 31 cases pulled for criminal behavior. In 2018 and into 2019 those numbers dropped significantly. (Calls/cases data is attached.)

In 2018 a bouncer for the VC, who was not licensed by the State of Oregon to operate in such a capacity, assaulted a patron leading to the arrest of the bouncer. There is a pending civil suit against the owner of the VC stemming from this incident.

One of the most common complaints that APD received in reference to the VC was one of excessive noise. Ashland’s unnecessary noise ordinance allows for some subjectivity given the circumstances, stating, in part, that

the level of noise must be judged based on “the character of the neighborhood in which the noise is made and the noise is heard.”

Staff were invited to tour the location on April 1, 2022. The location has been completely renovated and does not present in the same way that the VC did. Based on the updated design of the business it seems clear that the new owners are not trying for a repeat of the previous business, but rather attempting to go in a different direction, albeit with some similarities (most notably dancing on Friday and Saturday nights).

The fire chief has placed an occupancy capacity of 49 patrons and staff as the total occupants allowed in the location at one time. The kitchen has been upgraded and a current UL300 compliant kitchen fire suppression system is in place and has been recently inspected for full compliance. Lighting has been replaced to allow for greater floor visibility for egress. The temporary wall near the kitchen and a mid-level wall have been removed allowing for greater egress access. The primary door for egress has a sloping ramp versus steps as before, again allowing for ease of ingress and egress. New emergency exit signs were ordered and will be installed before final approval. The new tenants have greatly improved code related issues surrounding this location.

It is true that another late-night bar in downtown Ashland may be an additional strain to police resources. Staff believes that the applicants are acting in good faith in their attempts to mitigate negative behavior and that they have a plan in place to maintain control both inside and outside the location.

FISCAL IMPACTS

N/A

STAFF RECOMMENDATION

Staff recommends that Council asks the OLCC to issue a liquor license pursuant to the application, with an additional request of restrictions being on that license if Council chooses.

ACTIONS, OPTIONS & POTENTIAL MOTIONS

I move that Council ask the OLCC to approve this liquor license without restrictions.

I move that Council ask the OLCC to approve this liquor license with restrictions.

I move that Council ask the OLCC to deny the liquor license.

I move that Council ask the OLCC to deny the liquor license, with the additional request that if a liquor license is granted it have restrictions.

REFERENCES & ATTACHMENTS

October 5, 2018 letter to OLCC from the Ashland Police Department

May 2, 2019 letter from OLCC to the owner of the VC imposing restrictions on its license

Police calls for service data for 130 Will Dodge Way for years 2014-2019



LIQUOR LICENSE APPLICATION

RESET FORM

1. Application. **Do not include** any OLCC fees with your application packet (the license fee will be collected at a later time). Application is being made for:

License Applied For:	CITY AND COUNTY USE ONLY
<input type="checkbox"/> Brewery 1 st Location	Date application received and/or date stamp: Name of City or County: Recommends this license be: <input type="checkbox"/> Granted <input type="checkbox"/> Denied By: _____ Date: _____ OLCC USE ONLY Date application received: <u>11-19-2021</u> Date application accepted: <u>11/24/21</u> License Action(s): N/O
Brewery Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Brewery-Public House (BPH) 1 st location	
BPH Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Distillery	
<input checked="" type="checkbox"/> Full On-Premises, Commercial	
<input type="checkbox"/> Full On-Premises, Caterer	
<input type="checkbox"/> Full On-Premises, Passenger Carrier	
<input type="checkbox"/> Full On-Premises, Other Public Location	
<input type="checkbox"/> Full On-Premises, For Profit Private Club	
<input type="checkbox"/> Full On-Premises, Nonprofit Private Club	
<input type="checkbox"/> Grower Sales Privilege (GSP) 1 st location	
GSP Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/>	
<input type="checkbox"/> Limited On-Premises	
<input type="checkbox"/> Off-Premises	
<input type="checkbox"/> Warehouse	
<input type="checkbox"/> Wholesale Malt Beverage & Wine	
<input type="checkbox"/> Winery 1 st Location	
Winery Additional location (2 nd) <input type="checkbox"/> (3 rd) <input type="checkbox"/> (4 th) <input type="checkbox"/> (5 th) <input type="checkbox"/>	

2. Identify the applicant(s) applying for the license(s). **ENTITY (example: corporation or LLC) or INDIVIDUAL(S)¹** applying for the license(s):

~~Curtis Michael Hall~~ Ronald Morarty

App #1: NAME OF ENTITY OR INDIVIDUAL APPLICANT App #2: NAME OF ENTITY OR INDIVIDUAL APPLICANT

~~Joshua Lee Langworthy~~ Above-Board Below-Ground LLC

App #3: NAME OF ENTITY OR INDIVIDUAL APPLICANT App #4: NAME OF ENTITY OR INDIVIDUAL APPLICANT

3. Trade Name of the Business (Name Customers Will See)
Trapdoor Bar and Grill

4. Business Address (Number and Street Address of the Location that will have the liquor license)
130 Will Dodge Way

City Ashland	County Jackson	Zip Code 97520
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¹ Read the instructions on page 4 carefully. If an entity is applying for the license, list the name of the entity as an applicant. If an



LIQUOR LICENSE APPLICATION

5. Trade Name of the Business (Name Customers Will See) Trapdoor Bar and Grill			
6. Does the business address currently have an OLCC liquor license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
7. Does the business address currently have an OLCC marijuana license? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
8. Mailing Address/PO Box, Number, Street, Rural Route (where the OLCC will send your license certificate, renewal application and other mailings as described in OAR 845-004-0065[1].) 130 Will Dodge Way			
City Ashland	State OR	Zip Code 97520	
9. Phone Number of the Business Location 5039333029		10. Email Contact for this Application and for the Business curty@trapdoorashland.com	
11. Contact Person for this Application Curtis Hall		Phone Number 5039333029	
Contact Person's Mailing Address (if different)	City	State	Zip Code
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Please note that liquor license applications are public records. A copy of the application will be posted on the OLCC website for a period of several weeks.

ATTESTATION: **READ CAREFULLY AND MAKE SURE YOU UNDERSTAND BEFORE SIGNING THIS FORM**

I understand that marijuana is **prohibited** on the licensed premises. This includes marijuana use, consumption, ingestion, inhalation, samples, give-away, sale, etc. I attest that all answers on all forms and documents, and all information provided to the OLCC as a part of this application are true and complete.

I affirm that I have read [OAR 845-005-0311](#) and all individuals (sole proprietors) or entities with an ownership interest (other than waivable ownership interest per OAR 845-005-0311[6]) are listed as license applicants in #2 above. I understand that failure to list an individual or entity who has an unwaivable ownership interest in the business may result in denial of my license or the OLCC taking action against my license in the event that an undisclosed ownership interest is discovered after license issuance.

Applicant(s) Signature

- Each individual (sole proprietor) listed as an applicant must sign the application below.
- If an applicant is an entity, such as a corporation or LLC, at least one **INDIVIDUAL who is authorized to sign for the entity** must sign the application.
- An individual with the authority to sign on behalf of the applicant (such as the applicant's attorney or an individual with power of attorney) may sign the application. If an individual other than an applicant signs the application, please provide written proof of signature authority. Attorneys signing on behalf of applicants may list the state of bar licensure and bar number in lieu of written proof of authority from an applicant. **Applicants are still responsible for all information on this form.**

Joshua Langworthy			
App. #1: (PRINT NAME)	App #1: (SIGNATURE)	App #1: Signature Date	Atty. Bar Information (if applicable)
Curtis Hall			
App. #2: (PRINT NAME)	App #2: (SIGNATURE)	App #2: Signature Date	Atty. Bar Information (if applicable)
Ronald Morairty			
App. #3: (PRINT NAME)	App #3: (SIGNATURE)	App #3: Signature Date	Atty. Bar Information (if applicable)



INDIVIDUAL HISTORY FORM

RESET FORM

1. Name (Print):	Hall Last	Curtis First	Michael Middle
2. Other names used (maiden, other):			
3. Do you have a Social Security Number (SSN) issued by the United States Social Security Administration? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, you must list your SSN: [REDACTED]			
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your <u>voluntary consent</u> to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC§ 552(a)).</p>			
4. Do you consent to the OLCC's use of my SSN as described above? Check this box: <input checked="" type="checkbox"/>			
5. Date of Birth (DOB):	[REDACTED] (mm)	[REDACTED] (dd)	[REDACTED] (yyyy)
6. Driver License or State ID [REDACTED]			7. State [REDACTED]
8. Contact Phone: [REDACTED]			
9. E-mail Address: [REDACTED]			
10. Mailing Address:	[REDACTED] (Number and Street)	ashland (City)	oregon 97520 (State) (Zip Code)
11. In the past 10 years, have you been convicted of a felony or a misdemeanor in a U.S. state outside of Oregon? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (If yes, explain in the space provided, below) Unsure <input type="checkbox"/> Choose this option and provide an explanation if, for example: you were arrested or went to court, but are unsure of whether there was a conviction; you paid a fine or served probation or parole, but are unsure of whether there was a conviction; or if you know you had a conviction, but you are unsure of whether the conviction has been removed from your record, etc.			



INDIVIDUAL HISTORY FORM

12. Do you, or any entity that you are a part of, **currently hold** or **have you previously held** a recreational marijuana license in Oregon? (Note: marijuana worker permits are not marijuana licenses.)

No Yes Please list licenses (and year(s) licensed) below Unsure Please include an explanation:

13. Do you, or any entity that you are a part of, hold an alcohol license in a U.S. state outside of Oregon?

No Yes Please list licenses (and year(s) licensed) below Unsure Please include an explanation:

14. Do you or any entity that you are a part of, have any other liquor license applications pending with the OLCC?

No Yes Please list applications below Unsure Please include an explanation:

We started one prior to COVID-I believe it got scrapped, however.

You must sign your own form (electronic signature acceptable). Another individual, such as your attorney or an individual with power of attorney, **may not** sign your form.

Affirmation

Even if I receive assistance in completing this form, I affirm by my signature below, that my answers on this form are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to my criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name (Print):	Hall	Curtis	Michael
	Last	First	Middle
Signature:			Date: 10/3/21

This box for OLCC use ONLY

_____ Does the individual currently hold, or has the individual previously held, an OLCC- issued liquor license?



INDIVIDUAL HISTORY FORM

RESET FORM

1. Name (Print):	Langworthy Last	Joshua First	Lee Middle
2. Other names used (maiden, other):			
3. Do you have a Social Security Number (SSN) issued by the United States Social Security Administration? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, you must list your SSN: [REDACTED]			
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your <u>voluntary consent</u> to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)).</p>			
4. Do you consent to the OLCC's use of my SSN as described above? Check this box: <input checked="" type="checkbox"/>			
5. Date of Birth (DOB):	[REDACTED] (mm)	[REDACTED] (dd)	[REDACTED] (yyyy)
6. Driver License or State ID # [REDACTED]			7. State [REDACTED]
8. Contact Phone: 5035093160			
9. E-mail Address [REDACTED]			
10. Mailing Address:	[REDACTED] (Number and Street)	[REDACTED] (City)	[REDACTED] (State) [REDACTED] (Zip Code)
11. In the past 10 years, have you been convicted of a felony or a misdemeanor in a U.S. state outside of Oregon? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (If yes, explain in the space provided, below) Unsure <input type="checkbox"/> Choose this option and provide an explanation if, for example: you were arrested or went to court, but are unsure of whether there was a conviction; you paid a fine or served probation or parole, but are unsure of whether there was a conviction; or if you know you had a conviction, but you are unsure of whether the conviction has been removed from your record, etc.			



INDIVIDUAL HISTORY FORM

12. Do you, or any entity that you are a part of, **currently hold** or **have you previously held** a recreational marijuana license in Oregon? (Note: marijuana worker permits are not marijuana licenses.)

No Yes Please list licenses (and year(s) licensed) below Unsure Please include an explanation:

13. Do you, or any entity that you are a part of, hold an alcohol license in a U.S. state outside of Oregon?

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14. Do you or any entity that you are a part of, have any other liquor license applications pending with the OLCC?

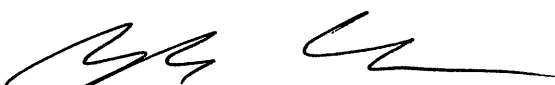
No Yes Please list applications below Unsure Please include an explanation:

You must sign your own form (electronic signature acceptable). Another individual, such as your attorney or an individual with power of attorney, **may not** sign your form.

Affirmation

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Name (Print):	Langworthy	Last	Joshua	First	Lee	Middle
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Signature: 	Date: 10/3/21
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This box for OLCC use ONLY
_____ Does the individual currently hold, or has the individual previously held, an OLCC- issued liquor license?



INDIVIDUAL HISTORY FORM

RESET FORM

1. Name (Print):	morairty <div style="text-align: right;">Last</div>	ronald <div style="text-align: right;">First</div>	elwood <div style="text-align: right;">Middle</div>
2. Other names used (maiden, other):			
3. Do you have a Social Security Number (SSN) issued by the United States Social Security Administration? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If yes, you must list your SSN: [REDACTED]			
<p>SOCIAL SECURITY NUMBER DISCLOSURE: As part of your application for an initial or renewal license, Federal and State laws require you to provide your Social Security Number (SSN) to the Oregon Liquor Control Commission (OLCC) for child support enforcement purposes (42 USC § 666(a)(13) & ORS 25.785). If you are an applicant or licensee and fail to provide your SSN, the OLCC may refuse to process your application. Your SSN will be used only for child support enforcement purposes unless you indicate below.</p> <p>Based on our authority under ORS 471.311 and OAR 845-005-0312(6), we are requesting your <u>voluntary consent</u> to use your SSN for the following administrative purposes only: to match your license application to your Alcohol Server Education records (where applicable), and to ensure your identity for criminal records checks. OLCC will not deny you any rights, benefits or privileges otherwise provided by law if you do not consent to use of your SSN for these administrative purposes (5 USC § 552(a)).</p>			
4. Do you consent to the OLCC's use of my SSN as described above? Check this box: <input checked="" type="checkbox"/>			
5. Date of Birth (DOB):	[REDACTED] <div style="text-align: center;">(mm)</div>	[REDACTED] <div style="text-align: center;">(dd)</div>	[REDACTED] <div style="text-align: center;">(yyyy)</div>
6. Driver License or State ID #: [REDACTED]			7. State [REDACTED]
8. Contact Phone: [REDACTED]			
9. E-mail Address: [REDACTED]			
10. Mailing Address:	[REDACTED] <div style="text-align: center;">(Number and Street)</div>	[REDACTED] <div style="text-align: center;">(City)</div>	[REDACTED] <div style="text-align: center;">(State)</div>
11. In the past 10 years, have you been convicted of a felony or a misdemeanor in a U.S. state outside of Oregon? No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> (If yes, explain in the space provided, below) Unsure <input type="checkbox"/> Choose this option and provide an explanation if, for example: you were arrested or went to court, but are unsure of whether there was a conviction; you paid a fine or served probation or parole, but are unsure of whether there was a conviction; or if you know you had a conviction, but you are unsure of whether the conviction has been removed from your record, etc.			



INDIVIDUAL HISTORY FORM

12. Do you, or any entity that you are a part of, **currently hold** or **have you previously held** a recreational marijuana license in Oregon? (Note: marijuana worker permits are not marijuana licenses.)

No Yes Please list licenses (and year(s) licensed) below Unsure Please include an explanation:

13. Do you, or any entity that you are a part of, hold an alcohol license in a U.S. state outside of Oregon?

No Yes Please list licenses (and year(s) licensed) below Unsure Please include an explanation:

14. Do you or any entity that you are a part of, have any other liquor license applications pending with the OLCC?

No Yes Please list applications below Unsure Please include an explanation:

You must sign your own form (electronic signature acceptable). Another individual, such as your attorney or an individual with power of attorney, **may not** sign your form.

Affirmation

Even if I receive assistance in completing this form, I affirm by my signature below, that my answers on this form are true and complete. I understand the OLCC will use the above information to check my records, including but not limited to my criminal history. I understand that if my answers are not true and complete, the OLCC may deny my license application.

Name (Print):	morairty	Last	ronald	First	elwood	Middle
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Signature:		Date:	10/3/21
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This box for OLCC use ONLY
_____ Does the individual currently hold, or has the individual previously held, an OLCC- issued liquor license?



OREGON LIQUOR CONTROL COMMISSION
BUSINESS INFORMATION

Please Print or Type

Applicant Name: Above Board Below Ground LLC Phone: 5039333029

Trade Name (dba): Trapdoor Bar and Grill

Business Location Address: 130 Will Dodge Way

City: Ashland ZIP Code: 97520

DAYS AND HOURS OF OPERATION

Business Hours:
Sunday 4 to close 2 am
Monday closed to
Tuesday closed to
Wednesday 4 to close 2 am
Thursday 4 to close 2 am
Friday 4 to close 2 am
Saturday 4 to close 2 am

Outdoor Area Hours:
Sunday NA to
Monday NA to
Tuesday NA to
Wednesday NA to
Thursday NA to
Friday NA to
Saturday NA to

The outdoor area is used for:
Food service Hours: NA to
Alcohol service Hours: to
Enclosed, how
The exterior area is adequately viewed and/or supervised by Service Permittees.
(Investigator's Initials)

Seasonal Variations: Yes No If yes, explain: Possibly Possible changes in days/hours due to covid

ENTERTAINMENT

Check all that apply:
Live Music
Recorded Music
DJ Music
Dancing
Nude Entertainers
Karaoke
Coin-operated Games
Video Lottery Machines
Social Gaming
Pool Tables
Other: comedy, Drag shows,

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday to
Monday to
Tuesday to
Wednesday to
Thursday to
Friday 10 to 2
Saturday 10 to 2

Also-special events as necessary

SEATING COUNT

Restaurant: 30 31 Outdoor:
Lounge: Other (explain): Bartop- 8 seats
Banquet: Total Seating: 39

OLCC USE ONLY
Investigator Verified Seating: (Y) (N)
Investigator Initials: CN
Date: 1/4/22

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Date: 10/3/2021

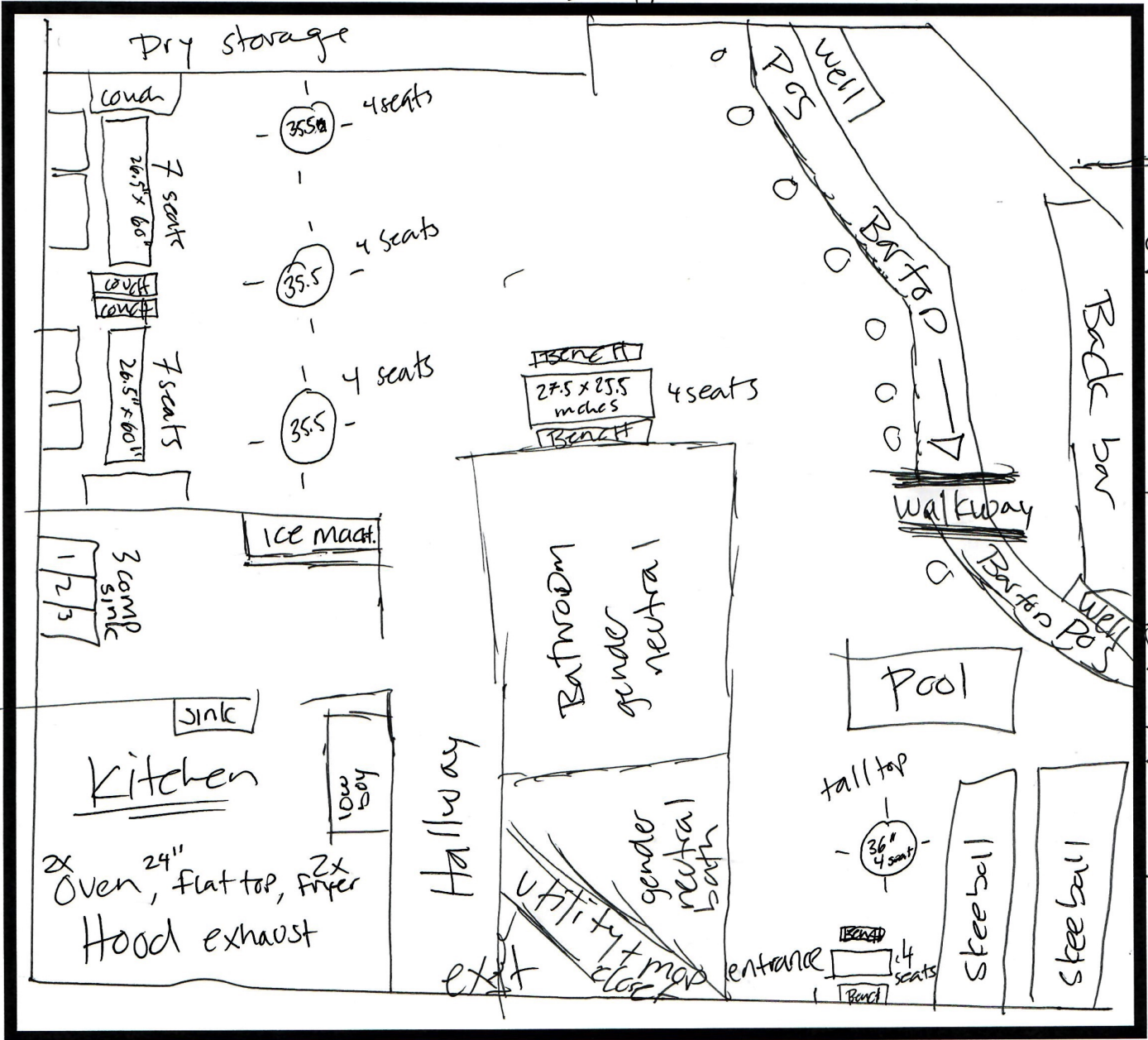
1-800-452-OLCC (6522)



OREGON LIQUOR CONTROL COMMISSION FLOOR PLAN

- **Your floor plan must be submitted on this form.**
- Use a separate Floor Plan Form for each level or floor of the building.
- The floor plan(s) must show the specific areas of your premises (e.g. dining area, bar, lounge, dance floor, video lottery room, kitchen, restrooms, outside patio and sidewalk cafe areas.)
- Include all tables and chairs (see example on back of this form). Include dimensions for each table if you are applying for a Full On-Premises Sales license.

Sorry, I'm not an artist.



Above Board below Ground LLC
Applicant Name

Trapdoor Bar + Grill
Trade Name (dba):

Ashland 97520
City and ZIP Code

.....OLCC USE ONLY.....
MINOR POSTING ASSIGNMENT(S)

Date: _____ Initials: _____

October 5, 2018

Steven Marks
Executive Director
9079 SE McLoughlin Blvd.
Portland, OR 97222-7355



RE: UNFAVORABLE RECOMENDATION REQUEST RESTRICTIONS IF GRANTED

Vinyl Club
130 Will Dodge Way
Ashland, OR 97520

Dear Mr. Marks:

The Ashland Police Department and the Ashland City Recorder's Office have received direction from the Ashland City Council to request the liquor license for the Vinyl Club, owned by Michael Leslie, not be renewed. As police chief I have found that there are valid grounds for this request due to several incidents having occurred either in, or immediately around (and attributable to) the Vinyl Club.

Pursuant to Oregon Revised Statue 471.313 section 5 the city is requesting that the license not be renewed because: *there is a history of serious and persistent problems involving disturbances, lewd or unlawful activities or noise either in the premises proposed to be licensed or involving patrons of the establishment in the immediate vicinity of the premises if the activities in the immediate vicinity of the premises are related to the sale or service of alcohol under the exercise of the license privilege.*

To substantiate this positon, the Ashland Police Department researched calls for service to and immediately around the Vinyl Club, as well all cases generated in and around the Vinyl Club.

There have been several issues surrounding the operation of the Vinyl Club including noise, public urination, disorderly conduct and several assaults. The most significant incident occurred on November 25, 2017 and involved a felony assault at the hands of a bouncer, Mark Bokish. Mr. Bokish was improperly employed at the bar as he did not have a DPSST certificate and was not eligible to obtain one. This assault resulted in Mr. Bokish being arrested for felony assault, and subsequently pleading guilty to attempting to commit a felony.

If the Commission decides to renew the Vinyl Club's liquor license, the City requests that the Commission consider placing, at its discretion, the below noted restrictions on the license:

1. Licensee will ensure staff use a one (1) ounce jigger in the service of distilled spirits.
2. Licensee will ensure that no patron possess any more than one alcoholic beverage at any time.
3. Licensee will ensure that there are no double shots of alcohol served after 12:00 AM.
4. Licensee will ensure that there is no amplified music after 12:00 AM.
5. Licensee will ensure that there is no alcohol service after 1:00 AM.
6. Licensee will ensure that there are three (3) designated DPSST Private Security Officers on-duty at the premises during all hours of operation.
7. Licensee will ensure that the premises maintains lighting sufficient inside to read common news print.
8. Licensee will maintain a video surveillance system and a trained operator of this system is to be on-duty at the premises with the ability to provide video surveillance footage to OLCC Inspectors and Police Officers immediately upon request.
9. Licensee will maintain an incident log on premises which will include mandatory daily entries for the days the premises is operating which will include the names, alcohol service permit and DPSST Private Security Certification numbers of all staff on-duty. This incident log is to be kept on site and made available to OLCC Inspectors and Police Officers immediately upon request.

Previous Incidents at the Vinyl Club

Over the last 2 years the Ashland Police Department has responded to the following calls for service and generated the following cases.

Calls for service (not including inconsequential calls for service such as foot patrol or bar checks)

Note on Operating hours: The Vinyl Club is only open on Thursday, Friday and Saturday evenings. In an attempt to ensure we are only attributing relevant incidents to the Vinyl Club only incidents within the appropriate time frame are mentioned.

<u>J Number</u>	<u>Date/Time</u>	<u>Day</u>	<u>Type</u>	<u>Disposition</u>
J180050022	2018-01-05@00:56	Fri	NOISE	Loud Music-closed door when asked
J180120056	2018-01-12@02:03	Fri	ASLTP	4-5 Subjects fighting (18-77)
J180200840	2018-01-20@22:36	Sat	ASSTPP	Employee called assist in age verification
J180700046	2018-03-11@01:01	Sun	VAND	Patrons in area damaging plants
J180760038	2018-03-17@01:26	Sat	DOC	Subjects fighting (18-695)
J181240051	2018-05-04@01:36	Fri	DOC	Male trying to start fight-NECA

J181250051	2018-05-05@01:24	Sat	NOISE	People loud in street outside Vinyl Club
J170010025	2017-01-01@00:07	Sun	ORD	Open container (17-01)
J170270037	2017-01-27@02:33	Fri	DOC	No notes in CAD
J170280011	2017-01-28@00:09	Sat	ASSTPP	Bouncer warned-telling subject to call 911 ID verification
J170500095	2017-02-19@02:14	Sun	LLAWS	Subject detained at door - intox underage male (17-508)
J170630027	2017-03-04@00:39	Sat	NOISE	Loud music-warned
J170710005	2017-03-12@00:14	Sun	NOISE	Loud music-music has been turned down
J170820930	2017-03-23@23:14	Thu	FRAUD	Fake ID
J170990025	2017-04-09@00:55	Sun	ORD	Overcrowding (17-983)
J171040056	2017-04-14@02:14	Fri	FLAG	No comment in CAD
J171200005	2017-04-30@00:06	Sun	ASSTPP	Request Officer check ID
J171320004	2017-05-12@00:03	Fri	LLAWS	Subj. attempt use fake ID (17-1423)
J171400024	2017-05-20@00:42	Sat	ORD	Subject Urinating near dumpster (17-1504)
J171410072	2017-05-21@01:52	Sun	DOC	Subject cited DOC (17-1514)
J171480066	2017-05-28@02:12	Sun	DOC	Intox male complaining about bouncer
J171741060	2017-06-23@22:32	Fri	THEFT	Wallet stolen
J171890035	2017-07-08@00:34	Sat	ASLTP	Fight victim & bouncer (known to each other) (17-2136)
J171950069	2017-07-14@02:15	Fri	DOMEST	UTL
J172100063	2017-07-29@01:34	Sat	DOC	Bouncer drug male out of location (17-2453)
J172100095	2017-07-29@02:13	Sat	ASLTP	Fight outside club (17-2455)
J172170032	2017-08-05@00:58	Sat	NOISE	People smoking back deck/loud
J172250068	2017-08-13@01:59	Sun	NOISE	No yelling at location
J172320077	2017-08-20@01:59	Sun	NOISE	Noise/Vomit on comps property-no noise, vomit cleaned up
J172370011	2017-08-25@00:14	Fri	NOISE	Patrons in alley making noise, bouncer advised
J171571145	2017-09-14@22:53	Thu	PROP	Passport confiscated - subj using someone else's passport to get in club
J172581153	2017-09-15@23:41	Fri	ASSTPP	Request officer verify ID
J172600024	2017-09-17@00:32	Sun	DOC	Subject threatening employee-UTL
J172740072	2017-10-01@02:46	Sun	DOC	Subjects fighting in alley-UTL

J172800057	2017-10-07@01:36	Sat	DETOX	Subject transported to Detox (17-3483 lodged DOC)
J172930010	2017-10-20@00:18	Fri	NOISE	Door open but no loud music – advised of complaint
J172930039	2017-10-20@01:52	Fri	NOISE	Loud music bar closing 10 min. music will be shut off
J172940030	2017-10-21@00:33	Sat	NOISE	Door open loud music – advised of complaint
J172950023	2017-10-22@00:44	Sun	DETOX	Detox refused/transported to hospital (17-3666)
J173020063	2017-10-29@01:47	Sun	TRESPASS	NECA
J173140056	2017-11-10@02:14	Fri	NOISE	Crowd in alley noise not unreasonable people moved along
J173220035	2017-11-18@00:54	Sat	THEFT	NECA
J173290057	2017-11-25@01:33	Sat	ASLTP	Bouncer & patron altercation (17-4051)
J173650009	2017-12-31@00:08	Sun	NOISE	Loud music door open – advised of complaint closed doors
J162760014	2016-10-02@00:26	Sun	NOISE	People in alley – noise not unreasonable advised of complaint
J162820008	2016-10-08@00:05	Sun	NOISE	Loud music – advised of complaint
J163030017	2016-10-29@00:18	Sat	SUSP	Comp reporting bouncer threw patron out of location face first
J163170033	2016-11-12@00:42	Sat	DOC	Subject with fake ID yelling at staff (16-3480)
J163230939	2016-11-18@22:02	Fri	PROP	Found property returned to owner
J163310045	2016-11-26@00:47	Sat	DOC	Fight in alley behind location UTL suspect (16-3594)
J163310067	2016-11-26@01:26	Sat	ASLTP	Subject hit by bottle (16-3596)
J163390048	2016-12-04@01:38	Sun	DOC	Intox female attempted to head-butt friend (16-3676)

J163520033	2016-12-17@00:54	Sat	FLAG	Intox male causing scene outside - male left
J163660056	2016-12-31@01:26	Sat	TRES	Male/female asked to leave refusing

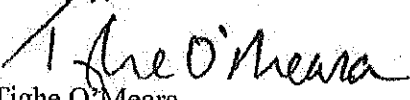
Case Reports Generated

<u>Number</u>	<u>Date/Time</u>	<u>Day</u>	<u>Type</u>	<u>Disposition</u>
18-0077	2018-01-12@02:03	Fri	Simple Assault	UTL suspects
18-0611 to pursue charges	2018-03-09@01:44	Fri	Assist-Public	Victim did not want
18-0695 Assault	2018-03-17@01:25	Sat	Simple Assault	2 Subjects arrested
18-1781	2018-06-24@01:52	Sun	Simple Assault	Arrest
18-2703	2018-09-08@00:36	Sat	Fugitive	Arrest
18-2704 results from OSP Lab	2018-09-08@00:36	Sat	Drug Law	Open case - pending
17-0001	2017-01-01@00:07	Sun	Open Container	Cite
17-0456 pursue charges	2017-02-11@02:00	Sat	Simple Assault	Vic did not want to
17-0508	2017-02-19@02:13	Sun	MIP	Juvenile cited
17-0573	2017-02-26@00:33	Sun	Drug Law	Cite
17-0702	2017-03-11@01:23	Sat	Fugitive	Arrest
17-0910	2017-04-02@01:35	Sun	Harassment	Arrest
17-0983 Fire Code	2017-04-09@00:55	Sun	All Other	Vinyl Club Cited -
17-1238	2017-04-30@00:06	Sun	Forgery	Cite
17-1423	2017-05-12@00:03	Fri	Forgery	Cite
17-1504	2017-05-20@00:42	Sat	Scattering Rubbish	Cite
17-1514	2017-05-21@01:52	Sun	DOC	Cite
17-1957	2017-06-23@22:31	Fri	Theft	Report taken
17-2062	2017-07-01@21:50	Sat	Drug	Cite
17-2136 document incident	2017-07-08@00:34	Sat	DOC	Report written
17-2453	2017-07-29@01:33	Sat	Simple Assault	Arrest

17-2455	2017-07-29@02:13	Sat	Agg. Assault	UTL suspects
17-3182	2017-09-15@01:56	Fri	DOC	Cite
17-3203	2017-09-15@23:37	Fri	Liquor Law	Cited
17-3483	2017-10-07@01:36	Sat	DOC	Arrest
17-3666 Detox	2017-10-22@00:44	Sun	Detox	Subject transported to
17-4051	2017-11-25@01:33	Sat	Assault 2	Arrest
16-2960	2016-09-25@02:29	Sun	Assault 4	Warrants issued
16-3097	2016-10-09@01:55	Sun	Harassment	Arrest
16-3480 regarding using fake ID	2016-11-12@00:40	Sat	Forgery	warned subject
16-3594	2016-11-26@00:47	Sat	Simple Assault	Unable to ID suspect
16-3596	2016-11-26@01:25	Sat	Assault 2	DA-No filed
16-3676	2016-12-04@01:38	Sun	DOC	Arrest
16-3785	2016-12-16@02:12	Fri	DOC	UTL suspect

Thank you for your consideration on this important matter. Please do not hesitate to get in touch with me if I can be of any further assistance.

Sincerely,


Tighe O'Meara

Police Chief



Oregon

Kate Brown, Governor

Liquor Control Commission

9079 SE McLoughlin Blvd.
Portland, Oregon 97222-7355

503-872-5000

800-452-6522

www.oregon.gov/olcc

May 2, 2019

Vinyl Club (F-COM)
Trustus LLC
130 Will Dodge Wy
Ashland, OR 97250

RE: Approval of Enforceable Compliance Plan
Vinyl Club
130 Will Dodge Wy
Ashland, OR 97250

Dear Licensee:

The Oregon Liquor Control Commission has approved your Enforceable Compliance Plan.

The Enforceable Compliance Plan is effective: May 3, 2019.

I caution you to follow your compliance plan. Failure to follow the plan is a Category III violation. A licensee may request Commission approval to discontinue a compliance plan no sooner than one year from the approval date. A licensee may request Commission approval to modify a compliance plan no sooner than six months from the approval date.

You must keep the signed Enforceable Compliance Plan on the licensed premises and make it available at any time for immediate inspection by any Commission employee or any peace officer. Failure to comply with this requirement is a Category IV violation.

If you have questions, please contact Inspector Dave Luster at 541-776-6176 or by e-mail at dave.luster@oregon.gov.

Sincerely,

Karlee Vetter
Public Safety & Compliance Technician

Enclosure: Enforceable Compliance Plan signed by licensee April 26, 2019.



OREGON LIQUOR CONTROL COMMISSION

MODIFIED SECURITY PLAN

DRAFT PLAN

FINAL PLAN

Today's Date: April 12, 2019 Return to OLCC: by April 17, 2019
Case #: 19-00026 Premises #: 36367
Licensee: Trustus, LLC Principals: _____
Trade Name: VINYL CLUB Michael Leslie, Member
Address 130 Will Dodge Way
City, State, Zip: Ashland, OR 97520
Phone #: 541-488-1690 County: Jackson

- 1) While open and operating from 9:00 pm to closing on Thursday, Friday, and Saturday nights, licensee will have at least two (2) DPSST-certified security guards working solely in the role of security. Security will monitor patron activity inside and outside the premises, and entry to and exit from the premises. Licensee or Licensee's employees will immediately report any violent or illegal activity observed within the licensed premises or involving patrons within the immediate vicinity.
- 2) Licensee will ensure all DPSST-certified security guards who perform security services wear distinctive apparel marked conspicuously with the word "Security" at all times they are on duty.
- 3) Licensee will maintain a security video surveillance system with digital video recording capabilities of all areas where alcohol is served or consumed. Licensee will maintain a copy of surveillance footage for a minimum of 30 days and will promptly make unaltered video surveillance footage available upon request to any OLCC inspector or law enforcement officer. The areas must be sufficiently lit as to allow surveillance video visibility.
- 4) Licensee will maintain an incident log documenting any and all incidents that occur inside or within the immediate vicinity of the premises. This incident log will also include a detailed and legible narrative of what occurred including the time, date, names and descriptions of those involved as well as any contact with police or other officials regarding the premises. The incident log will include mandatory minimum daily entries whenever the premises is in operation that must include the complete names of ALL staff, their OLCC Alcohol Service Permit Number, DPSST PSID numbers, and shift start and completion times. The incident log will be kept on the licensed premises and made immediately available for inspection by OLCC or law enforcement upon request.
- 5) Licensee will not allow patrons to enter the premises after 1:30 am on Friday, Saturday, and Sunday. Patrons must have some identifiable mark such as a stamp or wrist band to show they are a patron of the premises in order to re-enter.

- 6) From 1:30 am to closing, Licensee will not serve straight shots of distilled spirits or drop shots and will cease all alcohol sales at 1:45am. Straight shots are defined as distilled spirits served without mixers or ice. Drop shots are defined as drinks containing distilled spirits and greater than two ounces of beer, wine, or cider.
- 7) From 9:00 pm to closing, a patron will possess no more than one container of alcohol at one time, and each container of alcohol will contain no more than 16 ounces of malt beverage, 16 ounces of cider, 6 ounces of wine, or 2 ounces of distilled spirits.
- 8) Licensee's alcohol servers will use a one-ounce jigger measuring device or standard one- or two-ounce shot glass to measure pours of distilled spirits.

I approve the above control plan

I do NOT approve the above control plan. I will follow the guidelines in OAR 845-006-0497 to submit a revised plan.

Michael Lespe
Licensee (print)

M. Lespe 4/26/19
Licensee (sign & date)

David A. Luster
OLCC (print)

~~D. Luster~~ 5/01/2019
OLCC (sign & date)

Marie Vetter

Marie Vetter

5-2-19



130 Will Dodge Way

Offense Type	2019		2018		2017		2016		2015		2014	
	CFS	Cases	CFS	Cases	CFS	Cases	CFS	Cases	CFS	Cases	CFS	Cases
Assault			1	3	5	3	3	5	1	2		
Assist Agency	2											
Assist Public			1	1	3		1		2		1	
Bar Check	1		1		5		20		11		2	
Detox					2	1	2	2				
Dissordly Conduct		1	3		8	6	10	6		2	4	1
Domestic					1							
Drug			1	2		3		1		2	3	2
Extra patrol	11		18		17							
Flag					2		1					
Follow UP	1		3		3		2		3		1	
Foot Patrol	5		4		28		7		8		41	
Forgery						2		2				
Fraud					1							
Harassment	1					1		1	1	1	1	
Liquor Laws	1	3	4	3	4	5	1	2	4	5	2	2
Miscellaneous	1		5		6		6		9		19	
Noise			5		13		8		25		5	
Ord./Other Crimes	3	2	2	4	7	2	4	6	7	5	3	2
Person Down	1		1						1			
Property (Lost/Found)	2	2	3	1	1	1	2		1	1	3	3
Subject Stop	10		9		18		14		10		6	
Subpoena Service					2						1	
Suspicious					2		1		2		1	
Surveillance			1									
Theft			1	1	2	1		1	1	2		1
Traffic				1			2		1			
Trespass					2	1	1			1	3	
Vandalism	2		1		1		2		4		1	
VEHREC												
Warrant			3	4	3	5	2	2	2	2	3	3
Weapon Law										1		
Welcheck	2		1		3							
	43	8	68	20	139	31	89	28	93	24	100	14