

PORT ST. JOHN DEPENDENT SPECIAL DISTRICT BOARD MINUTES

The Port St. John Dependent Special District Board met in regular session on Wednesday, March 7, 2012, at 6:00 p.m., at the Port St. John Library, 6500 Carole Ave., Port St. John, Florida.

Board members present: Joan Calvert; Carmella Chinaris; Vaughan Kimberling, Chair; Pete Costello; Wendy Porter, Vice-Chair; and Randy Rodriguez.

Staff members present: Lydia Jackson, Planner I; and Candy Hanselman, Zoning Support Manager.

Vaughan Kimberling – Good evening, everybody. Thank you for coming to the Port St. John Dependent District Advisory Board meeting on March 7, 2012. We're here tonight to look at the rezoning request by the Philly Station; however, the first order of business is we need to elect a new Chairman and Vice-Chairman.

Motion by Randy Rodriguez, seconded by Joan Calvert, to reelect Vaughan Kimberling as Chair. The vote was unanimous to reelect Mr. Kimberling.

Motion by Joan Calvert, and seconded by Carmella Chinaris, to elect Wendy Porter as Vice-Chair. The vote was unanimous to elect Ms. Porter.

DISTRICT 1

V.B.1. (11PZ-00106) – CCN INVESTMENTS INC. – (Angel Ingham) – requests a CUP for Alcoholic Beverages for On-Premises Consumption (beer & wine only), in conjunction with a restaurant in a BU-1 zoning classification. (1.44 total site acreage) Located on the northwest corner of La Fair St. and U.S. 1 (6725 Hwy. 1, Cocoa).

PSJ Recommendation: Chinaris/Rodriguez – Approved. Vote was 5:1, with Calvert voting nay.

Angel Ingham – I just want to be able to serve beer during my normal store hours. I guess that's it.

Wendy Porter – The application says beer and wine. Did you mean beer and wine?

Angel Ingham – Yes, beer and wine. I don't want to do any draft, of any bartending, anything bar-related, just bottled beer for people to have with their sandwiches.

Wendy Porter – You said your normal operating hours, which I have here as 10:30 a.m. to 9:00 p.m. Does that mean you intend to see beer and wine as early as 10:30 in the morning?

Angel Ingham – I just – we just open at 10:30, because we're usually there at 9:00. We don't really get customers until about 11:30.

Wendy Porter – Yes, but would you be serving? Many places restrict their service of beer and wine until maybe 1:00, or 3:00, whatever. They have restrictions on it. I'm just asking you, would you serve it that early if you have somebody in there that early?

Angel Ingham – Probably, unless there's a restriction that I can't. I don't know if there's a Florida law.

Joan Calvert – I have a question on your diagram. Did you prepare this diagram?

Angel Ingham – Yes.

Joan Calvert – I notice the outdoor seating, and this is in public right-of-way. Correct?

Angel Ingham – I would say...

Joan Calvert – The sidewalk.

Angel Ingham – Yes. Well, it's not a sidewalk. It's part of the – there's like a canopy type thing in front of my building. So, it's underneath...

Joan Calvert – Right. But it's a public right-of-way. You walk through there. Correct?

Angel Ingham – Only if you're visiting the complex, I would say.

Joan Calvert – Yes. But you have other stores around you that would be...

Angel Ingham – Yes.

Joan Calvert – It's a public right-of-way. Correct? O.K. And you have eight seats outside there.

Angel Ingham – Yes.

Joan Calvert – And it's my understanding that you would be serving beer and wine outside on the sidewalk in the public right-of-way.

Angel Ingham – I guess. Well, I guess you make a line that no consumption beyond this point, I think, because there's like pillars.

Carmela Chinaris – Well, you're not serving – do you serve tables, or do they come up to the counter?

Angel Ingham – They come up to the counter.

Carmela Chinaris – So they choose to take it and go.

Angel Ingham – No, you cannot have it to go.

Carmela Chinaris – They can't take beer and wine to go. So they choose one of the tables indoors or outdoors to sit and consume, and they can't take the beer and wine off the premises.

Angel Ingham – Correct.

Joan Calvert – Well, off premises, that's my point. Off premises means in the store, or out of the store. It would be – you're considering...

Angel Ingham – It would be in the store.

Joan Calvert – It would have to be. You can't take the beer and wine outside, and drink beer and wine outside, at these tables that you have established.

Angel Ingham – It would be like typical restaurants, where they have like outside seating.

Joan Calvert – Yes, but that's designated seating, which we haven't – I don't see that in this diagram that you have permission to have designated outdoor seating. I mean, I'm not chewing you up. I just want – you know, there's got to be some guidelines here.

Angel Ingham – Well, yes, usually you put no – usually, what I see in restaurants, there's no alcohol beyond this point, if there is anything outside. But I could make them just stay inside the doors.

Joan Calvert – Well, you can't make them. You can't make them stay inside the doors. I don't think that would ever fly.

Lydia Jackson – If I could just add something, outdoor restaurant seating is permitted under the Zoning Code. There are certain criteria they have to meet for...

Joan Calvert – I'm trying to get at the certain criteria, what is established, and what is a designated spot to eat outside, or drink beer.

Angel Ingham – I think what they do is they put "No alcohol beyond this point," and they have to drink it like right there. They can't just put it in a bag and...

Joan Calvert – But nobody polices it.

Lydia Jackson – I believe that's a State requirement.

Randy Rodriguez – That's ATF, and that's a Federal...

Lydia Jackson – Yes, that would go with her license that she's getting from the State.

Randy Rodriguez – Yes, unless you get a package license, if they leave that door, if you're not calling the cops, you're liable for whatever they do, which is true of all restaurants serving...

Joan Calvert – Do you want to take on that responsibility that you would – you know, if you're serving sandwiches, and somebody orders a couple of beers, and they take it outside to eat, I mean, you can't be seating there policing that.

Angel Ingham – Well, we're bringing on a waitress to be in the dining room to serve more beer as people are eating. So I'm sure it would be monitored.

Wendy Porter – May I ask, what's your position with Philly Station?

Angel Ingham – I'm the owner.

Wendy Porter – You own Philly Station. You made a statement, I believe, in the beginning, that said you didn't want this to be a bar, that you intended to be just a restaurant serving beer and wine. Am I correct in restating?

Angel Ingham – Yes.

Wendy Porter – Well, the diagram here says four bar stools and bar table.

Angel Ingham – Yes, that's always been there. People just eat there. The bar is – I've had the bar stools there for...

More than one board member began speaking.

Carmella Chinaris – That just means taller.

Other board members began speaking.

Wendy Porter – ...for the bar stools, but it said it was a bar table. So it sounds like you designated an area...

Other board members began speaking.

Angel Ingham - ...with the bar stools. It's just...

Joan Calvert – I don't have a problem with beer and wine inside. I have a problem with being able to sit outside and drink the beer, the wine, whatever they're having, and being in a public right-of-way. That's my problem.

Angel Ingham – I wasn't told that the State said I couldn't have that. I just – my seats have been there for years, so I just included that as part of the 50 seats. So I don't know what is...

Randy Rodriguez – You haven't applied for your beverage license at all, yet, then?

Angel Ingham – No. They told me I had to get the CUP first.

Joan Calvert – Well, excuse me, but does anybody know what security is there of how many seats outside somebody can have in front of their restaurant, or whatever? Never mind the...

Lydia Jackson – There's no restriction.

Joan Calvert – You can just have lined up tables outside?

Lydia Jackson – Not in the Zoning Code. You might to see...

Joan Calvert – On the public sidewalk, right-of-way?

Lydia Jackson – Yes, that is permitted.

Angel Ingham – Well, you've got like Ryan's Steakhouse in Cocoa Village that has five seats sitting outside, and they actually get pedestrian walkways.

Joan Calvert – That's designated seating there.

Angel Ingham – But it's a public sidewalk. I mean, it's more public than I am. I mean, pedestrians even walk through Cocoa Village just to walk by. The people sit out there and eat all the time. As far as for me, it's public, yes, but nobody's really going to be there, unless they eat at the establishment.

Randy Rodriguez – You're limited at the moment, because the front of your building pretty much goes from niche to niche, other than your front door.

Angel Ingham – Yes, to be honest with you, nobody really sits outside anyway. It's too hot. It's too muggy. It's too humid. It's probably my most unpopular seating that I have.

Vaughan Kimberling – How much business do you think will increase, like the volume, like the number of cars and people coming into your store will increase, based on you offering the beer and wine?

Angel Ingham – When we opened Philly Station, we were doing \$15,000 a week, without the beer, and it seemed to accommodate parking then. And now I do about \$8,000 in sales. So I don't see that increase of

beer, because your lunch crowd is mostly soft drinks, because they're working. So it's just a matter of night, which I really don't seat anybody anyway at night. Ninety percent of my business is takeout at night. Maybe – I would say maybe three of four couples might eat inside during the weekend. It's mostly takeout. So I would say, with the beer, they would probably stay and drink a beer so (unintelligible).

Wendy Porter – I still have a problem, going back – two problems, actually. One is with Joan's (unintelligible) seating outside. And I'll tell you why. It ties into the first problem. I still have the problem with you serving as early as 10:30 in the morning, because you are right across from Nicol Park, and Nicol Park is one of the places where the homeless gather frequently. And I am a member of First United Methodist Church, which is right behind you. And we have quite a large ministry with the homeless. And, I think, between serving alcoholic beverages - which is a problem with many homeless people – serving as early as 10:30 in the morning, and having it available outside, I just think that's an attraction that could be drawing these people.

Angel Ingham – Well, I can always call the cops for the homeless people, because they harass my customers a lot.

Carmella Chinaris – Can I point out something? Kelsey's is right across from this. Kelsey's opens at 11:00 o'clock. Kelsey's serves beer, wine and alcoholic beverages, and they have outdoor seating. So, as far as this being a problem, it has never proved to be a problem at Kelsey's, and that's just right down the way.

Vaughan Kimberling – I guess what I was trying to allude to, one of the concerns I have is the parking. I know that the doctor's office moved out next door, so that frees up some parking spots. I have driven by on Friday nights, and stuff, and I've seen that parking lot full. And that's just with Blockbuster and your store. The concern I got is, if I was a resident, and I lived right there on the end of that road, right there where those houses are, I would be concerned with overflow parking.

Angel Ingham – We've never had that, ever.

Vaughan Kimberling – If you start serving beer and wine, that has a potential of drawing more people into your store, which is one reason you're offering it. Right? So, again, my concern would be that you could potentially have overflow parking in front of somebody's house or on their right-of-way. And, if I lived there, I really wouldn't like that. That, I could see, could become a problem if a third tenant moves in. Right now, it's not, but the parking lot is full sometimes on Friday night. Have you considered that, when you put in this zoning request?

Angel Ingham – Yes. Blockbuster sales have been down by 70 percent in the last couple years, so they're not as busy as they used to be. Probably, if anything goes in next to me, it's going to be a day business. Like I said, I've been very, very busy when we first opened, and I didn't have a parking issue then. So, even if I doubled my sales, if I didn't have a parking issue then, I don't think I would have it now. The basic difference between me and a basic restaurant is I'm more of a fast food. So you're in and out, real quick. People might stay a little bit longer, but I don't think it will be the clientele that sit there and drink ten beers. I mean, we won't let them, anyway, but they're the kind that would just eat a sandwich, have probably two beers and go. It's a pretty quick rotating type of atmosphere.

Carmella Chinaris – Do you ever notice people standing in your restaurant to eat, if all the tables are full?

Angel Ingham – I never do.

Carmella Chinaris – I think, if all the tables are full, and people don't have a place to sit down, they're not going to stay. I mean, I don't see them lining up like they do at Corky Bell's outside the door. So I don't see the parking as being an issue, because the parking is limited to what the restaurant will hold.

Angel Ingham – Right. And my – still, the reason why my business is successful is because it's geared for in and out, quick and go. So it's a lot of takeout. It's more takeout than dining. So I'm hoping, with the beer, that I could – I don't even quarter fill my dining room at night. Everything's takeout, families coming home from work, grabbing four large sandwiches to go to take home. That's pretty much the kind of restaurant that I am.

Pete Costello – Randy, you had a sit-down restaurant, sit down and eat and talk.

Randy Rodriguez – We did. I'm waiting for it to work its way down to this end.

Pete Costello – But, I mean, the point is that, to my knowledge, that never generated any traffic issues.

Randy Rodriguez – Prior to D's Diner, there were four restaurants in a row in there with a beer and wine license.

Pete Costello – It's kind of a non-issue.

Randy Rodriguez – And they never created a traffic or parking problem for the units behind. We never had a drunk problem. We had a very minor problem with the homeless. I solved it the same way. Leave, or I call the cops. And, as for the homeless folks coming in and sitting in a restaurant, and buying beer at two and a half dollars, they will go another 20 steps, if that far, and go into the little one-stop beverage, and they'll get a six pack for not much more than a single beer. So that takes care of itself. I understand all the issues. ATF, when you get to them, is going to solve that up-front seating issue for it, because it is public with the building right beside you, and if anyone sits out there with beer, your license is probably going up in smoke.

Joan Calvert – Exactly.

Randy Rodriguez – Along with fines. But that's an issue for you, as an owner, to cope with. I think it's not for us to decide on that. I'll still tell you, for today, I'm not going to support this, because your seating is not what this chart says, and your permit for the Fire Marshall for the number of people doesn't come up to 52, which you're going to need for that permit. So you have time before you go the County Commission to solve that, because at ten 'til five today, where you show four bar tables with four benches, you had three with three stools.

Angel Ingham – Yes, I'm supposed to get my air-conditioning worked on, and I've got to pull out my whole dining room in the morning. So I've got the new bar stools in the back. And I just got – because they got to redo the whole duct work, because I'm installing AC's. It was supposed to be done Tuesday, but they're having problems with parts. So I got to tear my whole dining room apart so they can get in there. They're trying to do it before (unintelligible). And I've been pushing it off until it absolutely gets hot, because it's like \$13,000 I have to come up with for the AC units. So I haven't had the money to do it through the winter, so I've been waiting until I need air-conditioning. So, right now, they'll be...

Wendy Porter – Could you clarify that again, Randy? What are you saying, the actual seating...

Randy Rodriguez – On the seating chart at the moment, it's short by seven seats, because where it shows the four bar stools with the four bar tables, the high-tops, it's actually three tables with three stools today.

Other board members began speaking.

Randy Rodriguez – She'll still need the outside seating, even with the fourth one. But if you have the others...

Angel Ingham – Yes, I have the others...

More than one board member began speaking.

Angel Ingham – I just didn't want to put it out and have to put it back in.

Randy Rodriguez – The difference is, she needs the seating for count. It doesn't mean you need people sitting out there for beer.

Joan Calvert – O.K., you need the seating for count.

Angel Ingham – So I can put on my door, "No alcohol beyond the door."

Randy Rodriguez – And you're going to need to enforce that.

Angel Ingham – Right.

Joan Calvert – My problem, along with that, is I believe it's 12 parking spaces that you're shy of. Twelve. So if it were like one or two, or something, maybe there could be...

Lydia Jackson – It's not the business that is short 12. It's the entire site.

Joan Calvert – O.K. Well, then, I don't...

Other board members began speaking.

Joan Calvert – ...the criteria of certain people allocated a certain amount of parking places in there.

Lydia Jackson – What it is, is...

Joan Calvert – I mean, required.

Lydia Jackson – When the site was developed, it had plenty of parking that was required. When the doctor's office moved in, that bumped up the required parking. So, at site development, when you build a multi-tenant unit, they don't know what uses are going in. So the developer puts the minimum amount of parking in, and then the uses come in, and then each use has a different requirement for parking.

Joan Calvert – And we have to presume that the doctor's office will be filled with something. Some business is going to come back in there again.

Randy Rodriguez – Not necessarily a doctor, but yes. I think the owner wants it to not be vacant, completely.

Angel Ingham – And your chances of...

More than one board member began speaking.

Angel Ingham – The chances of four people – like there's five booths. So I don't know, that would be like five cars. I don't know how you're allocating the people per the parking lots, but most people come in as couples, not by four. So if I have – what do I have now – 11 table settings. It doesn't mean that it'll be like four people at every table setting. That hardly ever happens. So I don't know how the parking spaces will be allocated.

Joan Calvert – I just didn't want it infringing on other peoples' rights that rent in that complex.

Angel Ingham – I was at Quiznos before the Philly Station. Everybody was hopping. Blockbusters, they made \$5,000 a night. The doctors were hopping. I was actually doing \$22,000 a week, compared to my now \$8,000, and I never had overflow parking. It's just a very quick rotating type of restaurant. People just – it's not like a waitress, where you're waiting...

Joan Calvert – I understand.

Angel Ingham – Yes, you get your food, sit down, eat, and you're done, and here comes the next. That's kind of our environment. We don't have people sitting there for half an hour to an hour, eating.

Joan Calvert – Not yet.

Wendy Porter – But isn't your purpose to have this change to have the beer and the wine to attract people to come in and sit and stay? Isn't that your main purpose?

Angel Ingham – Yes. The list of my clientele, they're – my night is mostly family. I just don't see people staying. It's not like the bar, picking up other people, type atmosphere. And when you go to Appleby's, you're socializing. You're waiting for your food. You're waiting for this. You're waiting for that. You're waiting for your check. You know, that's an hour. But here, you come into my store, you get your food within five minutes, you sit down and eat. And I think most people, when they're done eating, they're ready to go. They might have one or two more beers, but they're not going to sit there and drink five or six, I don't think. I just don't have that kind of...

Wendy Porter – Ambiance.

Angel Ingham – Yes, I don't have that atmosphere. I don't have the music. I don't have the big, lot of people in a restaurant, type of atmosphere. So I don't think it's going to change that much.

Vaughan Kimberling – Are there any more questions from the panel? (no response) Does the audience have any questions or comments?

Maureen Rupe – A couple.

Vaughan Kimberling – State your name, please.

Maureen Rupe – Maureen Rupe. I can see why they wouldn't stay in the establishment – not being funny – for longer than a beer, or so. You have nothing there. Once you've eaten, you (unintelligible). You know, there's nothing to really attract you to stay. But I don't think, also, that it's quite the same as Kelsey's, who's outside seating is not out onto the road. There's a parking lot in front of them.

Angel Ingham – Me, too.

Maureen Rupe – You have – the parking lot's in front. Where are we talking about? We're talking about on the same street as...

More than one board member began speaking.

Maureen Rupe – But there's the sidewalk, and then – yes, you do. There's parking, and then there's the road, isn't there? But it still doesn't seem quite the same as Kelsey's, that extent of the parking. So, on the sidewalk...

Angel Ingham – Kelsey's has a (unintelligible). They have an overflow parking.

Maureen Rupe – On the sidewalk. I didn't know that. I honestly didn't know that it was legal in any zoning on a public right-of-way...

Joan Calvert – I didn't either.

Maureen Rupe - ..to put your chairs and tables.

Lydia Jackson – Outdoor restaurant seating. This is not a sidewalk. This is part of the building.

Maureen Rupe – Oh, it's (unintelligible) a part of the building.

Lydia Jackson – It's part of the building. It's not...

Maureen Rupe – Oh, I didn't know that.

Several people spoke at once.

Lydia Jackson – It's outside of the building. It's not along the U.S. 1 right-of-way

Maureen Rupe – So, but do people walk along that, then? Let me put it that way.

Several people spoke at once.

Lydia Jackson – Only to enter the stores.

Maureen Rupe – O.K., so they don't walk along to get to another one.

Wendy Porter – Blockbuster.

Several board members spoke at once.

Wendy Porter – Blockbusters, they would.

Maureen Rupe – I just wondering how the ADA – is there room...

Lydia Jackson – That's going to be addressed with the State license.

Maureen Rupe – Oh, O.K.

Lydia Jackson – But, yes, outdoor restaurant seating is permitted under the Zoning Code. But there will be a lot of things that she'll have to comply with when she gets her license through the State of Florida. This is the site plan, if you want to see it.

Maureen Rupe – I haven't seen it. Can I take this?

Lydia Jackson – It's actually part of the package.

Maureen Rupe – Can you send me it?

Candy Hanselman – Yes.

Maureen Rupe – Thank you.

Vaughan Kimberling – Are there any more comments from the panel or guests?

Angel Ingham – So you see where I can actually put another bar table in my restaurant, because that's...
More than one board member spoke.

Angel Ingham – That's what I'll be doing. I got to have everything out tomorrow morning.

Carmella Chinaris – This is what it's going to be, as soon as your air-conditioning works out.

Angel Ingham – Right now, I just have like three seats at the bar table. The other bar table is – I don't have it there yet.

Maureen Rupe – I'm sorry, I have just one more quick question. Have any of your customers asked for beer when they've been in?

Angel Ingham – Yes.

Vaughan Kimberling – Can I get a motion to approve or deny this item?

Carmella Chinaris – I make a motion that we approve this.

Randy Rodriguez – I'll second it.

Vaughan Kimberling called the question, and that resulted in a split vote (3:3). Those board members voting in favor of the motion were Carmella Chinaris, Randy Rodriguez and Pete Costello. Those members voting in opposition to the motion were Wendy Porter, Joan Calvert and Vaughan Kimberling.

Carmella Chinaris - What is the next step in the process? Can we speak and try to reach a majority, or what?

Candy Hanselman – Someone can make another motion, or you can see if someone else has changed their mind. If somebody makes another motion at this point, it's still three to three. And you can leave it at 3:3, and pass it along to the Commission with no recommendation.

Carmella Chinaris – Well, I would like to know exactly why we would not approve this, because I think that the objection that's been raised is beyond the scope of the Planning & Zoning Board. So somebody enlighten me..

Randy Rodriguez – Possibly. But we're still only a recommendation. If we send a split decision – the County can go against us, even if we make a decision.

Carmella Chinaris – Well, I would like the County to see some thoughtful recommendations come from this advisory board, in line with what is permissible within our scope. I wouldn't like to start sending a whole bunch of wild-hair decisions up to the County Board so that they can discount our function.

Joan Calvert – I can make a statement right now. I don't see where this provides a hardship, and that's one of the criteria we go by.

Lydia Jackson – No, no hardship. That's not required by the application.

Joan Calvert – Well, it's...

Lydia Jackson – That's for a variance.

Joan Calvert – O.K., yes.

Vaughan Kimberling – Ms. Rupe, do you have a point?

Maureen Rupe – I was just going to say, from what you said about it doesn't matter, I worked it out once, and it took me – I won't tell you how long it took me – that how County Commissions took notice of advisory boards. And 80 percent of the time, they went with the advisory board. So they are taking notice of – I'm not talking about this Commission – I'm talking about previous Commissions – when we know what's going to happen with this Commission. But they do take notice of advisory boards. So I worked it out as to the statistics to how many times that they agreed with the advisory boards.

Randy Rodriguez – I hope the microphone picked that up.

Carmella Chinaris – I really do see it as a problem to pass it off and let the County solve the impasse. I see that as a problem, because it degrades our function here. I have to say that with Kelsey's on one side, and the other restaurants that have been in and out of Ted's old barbershop there on the end of the convenience store on the other side...

Randy Rodriguez – A-1 Beverage owns the whole building now.

Carmella Chinaris – And with all the package convenience stores around, I really don't see us with a clear reason to deny this, not at all.

Wendy Porter – Would you be interested in changing your vote?

Carmella Chinaris – I am staunchly in favor of approving this, because I don't see us...

Wendy Porter – I am staunchly in favor of denying this.

Carmella Chinaris - ...having any reason to deny it.

Wendy Porter – I'm staunchly in favor of denying it. And I don't – I am not convinced, and that's one of the things that the applicant is supposed to do, is convince us to vote yea or nay - and I am not convinced that this is any way near similar to, or in the league with, Kelsey's or other what I consider restaurants, where they do have wine and do have beer. I consider you more as you've described yourself, almost like fast food. So I do not find this a necessity for the operation of your business. You've not convinced me.

Angel Ingham – I'm not saying it's a necessity for the operation of business. It's pleasing my customers.

Carmella Chinaris – Beers and subs go together like peanut butter and jelly. I honestly don't understand why this is a problem.

Vaughan Kimberling – How long have you been in business there?

Angel Ingham – Since 2003.

Vaughan Kimberling – And the complex was built in 2001, I believe.

Angel Ingham – (unintelligible)

Vaughan Kimberling – So you had the Quiznos before. So you're one of the first tenants in that complex. So you've been there the whole time. Do you see – if you don't get this rezoning request approved, how will that affect you? Would that make you more apt to continue to stay there as a business, or do you see your business going down...

Angel Ingham – I still see myself staying there. I just want to – I guess, for what most people say of Port St. John, there's really not much here. So I'm just providing another option for people. Like I said, a lot of people, at night, just take their cheese steaks home so they can have their beer at home.

Vaughan Kimberling - Would people be able to buy that beer and take it home, also?

Angel Ingham – No, they're not allowed to.

Vaughan Kimberling – So it's only for consumption on the property?

Angel Ingham – Right.

Vaughan Kimberling – Within the door.

Angel Ingham – Right. And, as far as any restaurant, any business, your highest cost is an empty seat. So I'd just like to get people in my dining room in the evening because, right now, I don't. I get a lot of families, you know, on weekends.

Vaughan Kimberling – O.K., so you said you would hire an additional person, if you got this...

Angel Ingham – I have to, yes. Any increase of business, you have to hire, which is I have to hire someone just to monitor the dining room.

Wendy Porter – But are you planning to hire, anyway, with or without the zoning permit? Were you planning already?

Angel Ingham – No. I just have to hire to handle the increase in sales.

Wendy Porter – That you're hoping will come, but you don't know they will.

Angel Ingham – I'm sure they will. It's what beer does. It's like the difference between Pepsi and Coke. I sell more Coke. You know, Coke sells more than Pepsi. And then beer is another segment in drinks. Your highest profit in your business is beverage. It's been very hard to sell a cheese steak at my price, at 55 percent food cost. And I do that in hopes that people buy fries, soda, cupcakes, with their sub, because I don't make money off of the sandwich. Two dollars of that is to pay for my labor, people making the sandwich, and that doesn't even cover my rent. So, yes, I'd like to be able to give employees raises and increase my sales. Before I was a business owner, I was a chief financial officer for the largest piano company in Florida, right out of college. I'm familiar with numbers. I'm very responsible. I don't drink. He (referring to a man seated next to her) can tell you that I don't drink. I don't drink. I haven't hired anybody under the age of 18 in a long time. So I don't hire – well, I hire more mature employees, to begin with, that can be responsible with the beer, if I do sell it.

Vaughan Kimberling – But do you have employees under the age of 18?

Angel Ingham – No, I can't. I can't even do it, not even not selling beer. There's just too much responsibility.

Pete Costello – The market will dictate the wisdom of what you're trying to do in probably pretty short order. If it's a good decision, you'll be rewarded. If it's a decision you maybe shouldn't have made, you will find that out very quickly. And what we need in this country, and this county, and the state, is the government to get its fingers off businesses. Government's fingers are too sticky, too restrictive. And this is a great little successful (unintelligible) for a place that's hanging on. Port St. John is an economically-challenged area, and you've survived.

Angel Ingham – Well, when I was with Quiznos, it was very hard. This is the difference between me – O.K., I was with Quiznos. It was - I was under a big corporation that told me what to do every day, how to do it, knowing I would walk in the doors every day, and it wasn't good for people. It wasn't good for my customers. But I had to do it. So, pretty much, in the face of bankruptcy, I just said, "This is what I want to do, and I did it. And I sold everything I had to do the changeover and to overcome the reputation of what Quiznos had with the community. So, even now, from the day we've opened to the way we are now, I've been able to make changes in my business, without having the act of congress of a corporation to make it possible, and to make changes for the people. And, like you said, if it works, it works. If it doesn't, it doesn't, and I make the changes. I'm not greedy.

Pete Costello – You don't need the government as a partner.

Carmella Chinaris – Well, I don't think that it's within our scope to try to throw stumbling blocks in the way that shouldn't be there for people just trying to make a living. So could we have another vote?

Angel Ingham – It's not even just making a living. When I was at Quiznos, at the end of it, I only had three employees. Now I have ten. I generate – my employees are above minimum wage. For, I think, most people that live in Port St. John, there's not much around here to begin with. And I'm the only cheese steak place around. I don't know where people ate their cheese steaks before me. I sell 1,000 a week. I mean, for just my little operation, for little parking that I have, for little square footage I have, 1,000 cheese steaks go out of my door a week, and that doesn't include whatever else I sell. So it's just something – it's just another option for my customers. I'd probably get more customers coming in because I serve beer, but I don't think so. People come in for a cheese steak. A beer is just something to have in addition to the cheese steaks. They're not going to come in just for a beer, I don't think, because there's Pinto's, there's Highway Inn, Patrick's, so they can have their little...

Vaughan Kimberling – O.K., I got you. Well, thank you. Can I get another motion to have a vote for approval or denial?

Carmella Chinaris – I ask we please have a vote to approve this.

Randy Rodriguez – Second.

Vaughan Kimberling called the question, and the board recommended approval of the request. The vote was 5;1, with Joan Calvert voting nay.

The meeting was adjourned at 6:42 p.m.