



ALBANY COMMON COUNCIL
PLANNING, ECONOMIC DEVELOPMENT AND LAND USE COMMITTEE MINUTES
Alfredo Balarin, Chair

Meeting called by: Alfredo Balarin, Chair | Date: May 19, 2025 | Time: 5:07 pm

Committee Members Present: Balarin, Chair | Adams | Zamer | Hoey | Clarke

Council Members Present: Conti, Flynn, and Keegan

City Personnel Present: Shaniqua Jackson (City Clerk), Bryan Jimenez (Legislative Director); Faye Andrews (Commissioner of Neighborhood and Community Services), Bradley Glass (Planning Director), Richard LaJoy (Director of Buildings & Regulatory Compliance); Brendan Cox (Chief of Police)

Minutes

Agenda Item(s):

• **ORDINANCE 3.41.25**

AN ORDINANCE AMENDING PART 3 (CABARETS) OF CHAPTER 111 (AMUSEMENTS) OF THE CODE OF THE CITY OF ALBANY IN RELATION TO UPDATING THE CITY'S ENTERTAINMENT LICENSING PROVISIONS

• **ORDINANCE 17.53.24**

AN ORDINANCE REPEALING PART 3 (CABARETS) OF CHAPTER 111 (AMUSEMENTS) OF THE CODE OF THE CITY OF ALBANY

Public Comment:

- Michael Kohn, City of Albany – Support for Ordinance 17.53.24

Discussion:

- Council Member Flynn spoke on introduction of cabaret repeal.
- Committee Member Adams provided context for the introduction of the cabaret repeal ordinance.
- Public comment was heard.
- Council Member Flynn spoke on the constituent concerns received regarding the historical racism associated with cabaret licenses.
- Committee Member Zamer asked how a full cabaret license repeal would affect City departments.
 - Chief Cox stated that noise ordinances are ineffective and can be used arbitrarily. Chief Cox further mentioned that the cabaret license operates as a tool the department can use to address issues.
 - Committee Member Zamer asked if the noise ordinance can be reformed to address commercial noise issues to which Chief Cox responded that the noise ordinance cannot be applied to those issues.
- Council Member Flynn asked for clarification about noise complaint calls, to which Chief Cox responded. Council Member Flynn asked if sound level meters are used when responding to noise complaints, to which Chief Cox responded that, in his opinion, they are not effective.
- Committee Member Hoey asked about current calls for cabaret complaints.

- Director LaJoy responded that the Department of Buildings and Regulatory Compliance is called in by the Albany Police Department when the Albany Police Department either verifies that a Cabaret license has not been issued or if they are unsure if the commercial establishment is permitted to operate.
- Committee Member Hoey asked about conditions placed by Planning on cabaret establishments to which Director Glass responded that they only review to ensure compliance with existing planning regulations, such as complying with permitted use based on the district zoning. Committee Member Hoey asked if Planning discusses cabaret regulations with applicants to which Director Glass responded that those discussions only occur when an applicant is seeking a conditional use permit.
- Committee Member Hoey asked if cabaret complaints come in through SeeClickFix to which Commissioner Andrews responded that they used to receive complaints but have since placed a notice that SeeClickFix isn't monitored overnight or on the weekends. Committee Member Hoey further asked if there were a significant number of complaints, to which Commissioner Andrews responded no.
- Committee Member Adams asked for greater clarification from Chief Cox regarding why the noise ordinance is ineffective and why the cabaret license is effective instead.
 - Chief Cox responded that the cabaret license permits the Albany Police Department to set noise cutoff times for commercial establishments whereas the noise ordinance does not permit that authority. Chief Cox noted that there were noise complaints regarding Rocks and how the police department was responsible for determining the veracity of those complaints.
- Committee Member Adams discussed the latest draft of Ordinance 17.53.24 and elements included in that draft that address department concerns.
- Council Member Flynn and Chief Cox discussed violent crime in commercial establishments—Chief Cox noted that the cabaret law was not a factor in the Café Hollywood situation.
- Committee Member Zamer asked for clarification on existing protections that the cabaret license supposes to create to which Director Glass responded.
- Committee Member Zamer asked if there is a percentage for denials and what reasons lead to denials, to which City Clerk Jackson and Director LaJoy responded.
- Council Member Conti asked how the existing cabaret standards in the Unified Sustainable Development Ordinance (USDO) would work with a repeal of the cabaret license alone to which Council Member Flynn responded. Council Members Conti and Flynn discussed the impact of a full repeal without amending the USDO in tandem.
- Committee Member Hoey asked for clarification on the provisions of the code that would regulate businesses in the absence of the cabaret license.
- Committee Member Adams spoken further on the necessity for cabaret reform.
- Council Member Conti responded to Committee Member Hoey's request for clarification.
- Council Member Conti asked if the broadening of the type of venues in a version of cabaret reform was intentional, to which Council Member Flynn responded.
- Director Glass spoke on commercial establishment noise regulations.
- Committee Member Hoey asked about the level of work faced by the Office of the City Clerk under existing cabaret regulations, to which City Clerk Jackson responded.
- Council Member Flynn asked what the main concern constituents have regarding cabaret license issuance, to which City Clerk Jackson responded that it is primarily noise.
- Council Member Conti spoke on his alternative cabaret ordinance.
- Committee Member Zamer asked the chair how the vote on the cabaret ordinances will be had, to which Committee Chair Balarin responded.
- Council Member Flynn offered to amend the ordinance to extend the implementation time.
- Committee Member Adams moved to pass Ordinance 17.53.24 out of committee with a favorable recommendation, seconded by Committee Chair Member Balarin, and failed after voting:
 - Affirmative: Adams
 - Negative: Balarin, Hoey, and Zamer
- Council Members Conti and Flynn, as well as Committee Member Hoey, discussed Ordinance 3.41.25.

Adjourn:

Committee Member Hoey moved to adjourn, duly seconded by Committee Member Zamer. The Chair declared the meeting adjourned at 6:27 PM.

Respectfully Submitted,

Bryan Jimenez

Legislative Director