



**LIQUOR COMMISSION MINUTES  
THURSDAY, APRIL 24, 2014  
4:00 P.M.  
CITY HALL COUNCIL CHAMBERS**

Liquor Commissioner Barra called the meeting to order at 4:05 p.m.

**PLEDGE of ALLEGIANCE** led by Liquor Commission Member Dale Vonderheide

**ROLL CALL**

The following members were present for roll call: Liquor Commissioner Laurie Barra, Fire Chief Kurt Nelson, Police Chief Greg Nelson, Liquor Commission Member Buster Hanley and Liquor Commission Member Dale Vonderheide, and Deputy Liquor Commissioner Rick VonRohr

Also present: Attorney Sue Bosich – Corporation Counsel

**APPROVAL OF AGENDA**

Motion made by Fire Chief Kurt Nelson to approve the Agenda for April 24, 2014, seconded by Police Chief Greg Nelson. On roll call vote all present voted Aye. Motion carried.

**APPROVAL OF MINUTES**

Motion made by Liquor Commission Member Dale Vonderheide to approve the Liquor Commission Minutes of February 27, 2014, seconded by Liquor Commissioner Laurie Barra. On roll call vote all present voted Aye. Motion carried.

**PUBLIC INPUT/COMMENTS/QUESTIONS**

Kathy & Terryl Brawner – Rhythm & Brews – 513 Court Street

Kathy informed the Liquor Commission that they are in the process of buying the building two doors up (the old Jones Brothers building) at 519 Court Street. She is asking the Commission if they can get a break on the liquor licenses since it may be a few months before they can get into the new building. Kathy is looking at least 3-4 months at the 513 address. She understands renewals are due April 30<sup>th</sup>. Kathy is asking if they can prorate her current liquor license for that 3-4 months and then she will get her new license for 519 Court Street. She thanked the Liquor Commission and appreciates any help they can give in prorating the fees.

Discussion: Deputy Liquor Commissioner Rick VonRohr asked if they were renewing their current liquor license by April 30, 2014 and then submit new application for the 519 Court Street location. Kathy Brawner stated yes. Liquor Commissioner Barra asked if this was the same owners and same business if the liquor license could be transferrable. Attorney Sue Bosich stated no, you can't transfer a liquor license from one location to another, but does not mean you can't prorate the fees. You would only prorate after the fact, not before because you don't know how long the business will be there. The Liquor Commission would discuss this and VonRohr will let her know VonRohr thought something could be worked out.

**NEW BUSINESS**

**Discussion: Number of Special Events One Day Liquor Licenses applications that are allowed per licensee:**

Diane Gresham with Sunset Hills Golf Club and Mashies submitted a request for an additional beer garden, and now has changed her mind on that. She feels that would restrict the use of having the events since you can not

have a band. She is asking the Liquor Commission for a maximum number of One Day Liquor Licenses for her establishment. She said so far this year they close to the 12 licenses that are required. They are holding more weddings, fundraisers, and charitable events. She is asking to change the amount required to 20 or 25 One Day Liquor Licenses. They only use that area for the special events. The months would be April thru September. Right now they have filled their 12 One Day Liquor License events. Asking the Commission to allow up to 18 single day licenses and perhaps having a maximum amount. Ms. Gresham also asked if they could get one license for the Best Ball Tournaments instead of 3 for the 3-day event.

Discussion: VonRohr asked if this was a State law for the maximum of 12 One Day Special Event Liquor Licenses. Attorney Bosich stated no, this is not, but it would require a change in our Liquor Code. Police Chief Greg Nelson asked what would they think would be a maximum amount. Ms. Gresham thought they would be able to handle 1 per weekend at the max. Liquor Commission is in agreement to change the Liquor Code to accommodate the number of One Day Liquor Licenses. Commission Member Hanley asked if we could make an exception case by case or would it require to make a change in the Code. Attorney Bosich said it would be better to just change the code. Commission Member Hanley asked if there were any concerns with the neighborhood on past events. Police Chief Greg Nelson stated there were a few houses nearby, but very few. Ms. Gresham stated they are changing the way the bands speakers facing the building, so this should alleviate the problem. Liquor Commissioner Barra does not see the harm in upping the amount of One Day Liquor Licenses to be issued. Police Chief Greg Nelson each licenses still has to be approved by him and the Liquor Commissioner, so does not see a problem with it having a maximum amount. VonRohr see's the number at 20 One Day licenses a year. This will go in front of Council in May, not sure if first meeting or second meeting in May.

Motion made by Police Chief Greg Nelson to change the Liquor Code to increase the maximum of 20 - One Day Liquor Licenses, Seconded by Liquor Commissioner Laurie Barra. On roll call vote all present voted Aye. Motion carried.

#### **New Application: SOILL Restaurant Systems, LLC dba Dotty's – Dean F. Jansen – 1641 Broadway**

**Discussion:** Attorney Bosich asked Dean Jansen if they had a manager yet? Mr. Jansen stated not yet and that he planned on getting one when they are closer to opening. Attorney Bosich asked if he knew when they hired a manager that they would need to come in and get a background check done. Mr. Jansen stated it may take up to six months to get the building ready to be opened. They will hire 2-3 months before opening. Deputy Liquor Commissioner stated this would be a contingent license. Attorney Bosich asked if they have made any other applications for liquor licenses. Mr. Jensen stated yes, they just applied for four in Springfield. He will get a copy of all applications made to the City Clerk. Mr. Jensen asked what the Liquor Commission will give him today so he can apply for the State Gaming license. Will we be able to get something from the City Clerk so we can apply to the State Gaming Board. Attorney Bosich stated it will be a contingent license, she does not know if they will accept that or not.

Motion made by Fire Chief Kurt Nelson to approve the liquor license of SOILL Restaurant Systems, LLC dba Dotty's, 1641 Broadway, Pekin, IL contingent upon final walk-thru's, inspections and final liquor license. Seconded by Liquor Commission Member Dale Vonderheide. On roll call vote all present voted Aye. Motion carried.

#### **New Application: Hat Trick's Sports Bar, LLC – Mark Garrett – 1412 N. 8<sup>th</sup> Street**

Mark Garrett brought in a new lease that begins May 1<sup>st</sup>, between him and Kanin Associates. Mr. Garrett needs a land line phone and also supply the City Clerk with a DBA (Doing business as).

Discussion: Attorney Bosich stated that Mr. Garrett needs to fill in the application where it asks DBA (doing business as), and what type of business this will be. Mr. Garrett stated it will be an entertainment sports bar with food. He also needs a phone number listed, a land-line. This will all need to be provided before a license is issued. He also stated the business will not open until 3:00pm. Once Mr. Garrett gets the phone in, he is to call VonRohr.

Liquor Commission Member Buster Hanley made a motion to approve Hat Trick's Sports Bar, LLC, a City of Pekin Liquor License, contingent upon completing the Liquor application and subject all final inspections with Police, Fire and Inspections Departments, seconded by Police Chief Greg Nelson. On roll call vote all present voted Aye. Motion carried.

**New Application: JM Kreiling, Incorporated dba Ace Liquors – 14 N. 5<sup>th</sup> and 1025 Derby Jason Kreiling**

Discussion: No discussion

Fire Chief Kurt Nelson made a motion to approve JM Kreiling, Incorporated dba Ace Liquors a City of Pekin Liquor License, contingent upon signed leases on both locations and final inspections with Police, Fire and Inspections Departments. Seconded by Liquor Commissioner Laurie Barra. On roll call vote all present voted Aye. Motion carried.

**Beer Garden – Sunset Lanes – James Keith – 3000 Court Street**

James Keith was not present at today's Liquor Commission Meeting.

Discussion: Commission looking at site plan. VonRohr needs more information on the site plan.

Liquor Commissioner Laurie Barra made a motion to table discussion of the Sunset Lanes Beer garden application until the May 22, 2014 Liquor Commission meeting, seconded by Liquor Commission Member Buster Hanley. On roll call vote all present voted Aye. Motion carried.

**Discussion: Jac's Doghouse – Aaron Rogers**

Attorney Bosich stated that on February 10<sup>th</sup>, 2014 there was an occurrence/bar fight at Jac's Doghouse and determined with serious injuries. One of the owners and bartender were on duty and did not call and report the fight. They are in violation of Section 3-3-8 of the Liquor Code. Attorney Bosich stated that Mr. Rogers has plead guilty, but would like to address the Liquor Commission.

Mr. Rogers informed the Liquor Commission that he was out of town on this date, but has called in all bartenders for a meeting to explain to them they need to call police on every occurrence that happens in the bar. He asked the Commission if the fine could be lowered if at all possible.

Discussion: Liquor Commission feels this is a very serious offense and the liquor licensee's need to understand just how serious of a violation this is. The Liquor Commission established fee's for first offense at \$500.00. Liquor Commission is not in favor of lowering fee's on violations to the Liquor Code.

Fire Chief Kurt Nelson made a motion to accept Jac's Doghouse guilty plea and fine them \$500.00 plus cost. Seconded by Liquor Commissioner Laurie Barra. On roll call all voted Aye. Motion carried.

**2% Food and Beverage Tax late returns**

Vicki Bass emailed late returns to the Liquor Commission on April 24, 2014.

Attorney Bosich was instructed to draw up a complaint on Sweeny's Pint for being late for Feb. and March 2% Food and Beverage tax. The City's 2% Food and Beverage tax is due on or before the 20<sup>th</sup> of each month.

**ANY OTHER BUSINESS**

Police Chief Greg Nelson endorses and supports that bartenders not be intoxicated while on duty. If blow a 0.4 they would be in violation. There have been problems in the past where the bartenders were intoxicated and did not call in a fight or could not give any information to the Police.

Liquor Commission instructed Attorney Bosich to draw up a "Sober Server Ordinance" and submit to the next Liquor Commission meeting for review.

Fire Chief Kurt Nelson informed the Commission that Mashie's has a broken gate at their Beer Garden. They were informed this needs to be fixed – gate needs to be exit only.

Deputy Liquor Commissioner Rick VonRohr made a motion to adjourn, seconded by Liquor Commission Member Dale Vonderheide, meeting adjourned at 4:50 P.M.

**Next Meeting will be Thursday, May 22, 2014 at 4:00 P.M.**

Respectfully submitted, Paula Gensel