



**LIQUOR COMMISSION MINUTES
THURSDAY, JUNE 26, 2014
4:00 P.M.
CITY HALL COUNCIL CHAMBERS**

Liquor Commissioner Barra called the meeting to order at 4:01 p.m.

PLEDGE of ALLEGIANCE led by Police Chief Greg Nelson

ROLL CALL

The following members were present for roll call: Liquor Commissioner Laurie Barra, Fire Chief Kurt Nelson, Police Chief Greg Nelson, and Liquor Commissioner Rick VonRohr.

Absent: Liquor Commission Member Buster Hanley and Liquor Commission Member Dale Vonderheide.

Also present: Attorney Sue Bosich – Corporation Counsel

APPROVAL OF AGENDA

Motion made by Police Chief Greg Nelson to approve the Agenda for June 16, 2014, seconded by Fire Chief Kurt Nelson. On roll call vote all present voted Aye. Motion carried.

APPROVAL OF MINUTES

Motion made by Police Chief Greg Nelson to approve the Liquor Commission Minutes of May 22, 2014, seconded by Liquor Commissioner Laurie Barra. On roll call vote all present voted Aye. Motion carried.

NEW BUSINESS

Deputy Liquor Commissioner VonRohr opened the meeting with the Discussion on **REQUIREMENTS FOR COMPLETED APPLICATIONS**.

Attorney Sue Bosich informed Commission that the wording used in the past on new liquor licenses “contingent upon” is incorrect. The liquor code states the term should be “conditional grants”. Also in our liquor code is the time frame a new application should be submitted is 15 days before the liquor commission meets. All new liquor applications need to be completed in full when turning in to City Clerk’s office before they will be put on the Liquor Commission Agenda. Attorney Bosich also proposed to the Liquor Commission that to consider a site plan and finds this site plan undesirable for any reason you can then make a recommendation to the City Council to approve or deny this site plan. This would most likely have to go through the Planning Commission department. Attorney Bosich stated she called Attorney Lobacz to let her know that DBD, Inc. dba The Slot Shot would be taken off the Liquor Commission Agenda for June 26th for reasons that their application was incomplete. They did not have the liquor liability insurance and the site plan was incomplete. Attorney Bosich stated that no one from the Liquor Commission or Inspections went to check out the building before it was put on the Liquor Commission Agenda. Mr. Mahony brought in the insurance and a revised site plan but it was after 4pm on Tuesday and the Agenda was already set. If he has a totally separate area with doors, windows, bathroom, etc. on the new site plan, the Commission would have to decide. Would there be enough parking in that area and also with that intersection, adding another business, would that have to go to Traffic Safety. It was decided that Mr. Mahony would have to go through the Planning Commission first before he came back in front of the Liquor Commission. Would the same Corporation and same owner need to go through planning first

before they come before the Liquor Commission? Attorney Bosich to call Attorney Lobacz regarding going in front of the Planning Commission.

Conditional Grants; they get an assurance that if their application is complete and they get all the necessary items on the check list done, then they get their license. With conditional grants the commission can set a time limit on when they would open for business, if goes over that time frame they would be denied and have to reapply.

Attorney Bosich spoke with Peoria on their requirements for liquor licenses that will be having the gaming machines. Peoria is proposing that a new liquor applicant will have to be in business 1 year before they would be allowed to have the State gaming machines.

Discussion: Police Chief Greg Nelson stated that when business ownership changes, State would pull the machines and then the next person coming in or buying would have to wait a year to get the machines? Liquor Commissioner Barra stated maybe these businesses would have to be a “full service” bar or restaurant, maybe be an exception. Should the commission consider setting a limit on liquor licenses. On the Conditional Grants, give up to 3 months, if not finished and ready to open, then they’d have to reapply. Would they be able to ask for an extension? Commissioner Barra likes the idea of having to being in business a year before they are able to get the State gaming machines. Video gaming revenue is up, but sales tax is down. Liquor Commissioner Barra also thought we could possibly restrict these licenses to the square footage of the building or they would have to hire a certain number of employee’s. Also can we restrict licenses to who applies if they are the same corporation wanting multiple licenses? Police Chief Greg Nelson stated we can control the number of license and also to who we license too. Can we tell them they have to wait for 1 year to bet their State Gaming machines? Liquor Commissioner Barra felt as a Home Rule community that we can be more restrictive and require more information. Attorney Bosich to research being restrictive on square footage on a building if applying for a liquor license.

VonRohr doesn’t like the idea of the Liquor Commission or the City of Pekin coming off as being unfriendly to work with. This is revenue coming into the City. If they have to wait a year to open, they will just go someplace else and the city would lose on that revenue. VonRohr asked if we can put a cap on liquor licenses and then hold some in place for bigger restaurant chains? The Commission could set a higher number and also with businesses that don’t make it after a year, it would most likely not ever reach over the cap set.

Attorney Bosich to research this with the State Gaming Board and also if being Home Rule we can be more restrictive in our liquor licensing process. Attorney Bosich stated there wasn’t any regulatory code for the BYOB. Owner would be responsible.

2% FOOD AND BEVERAGE TAX LATE RETURNS

Deputy Liquor Commissioner VonRohr advised the members that there were three late returns with one coming in today that paid. They were due by the 20th of the month. VonRohr to go by these two places and let them know they are due with interest, otherwise we will instruct City Attorney Sue Bosich to continue with legal action.

PUBLIC INPUT/COMMENTS/QUESTIONS

Nothing at this time

ANY OTHER BUSINESS

Fire Chief Nelson stated he likes the booklet that was made several years ago on how to obtain a City of Pekin Liquor License. Can we start using that booklet? It has all the information, with a check sheet that is needed and if they have any other questions, they can call the City Clerk’s office. Also feels that this commission needs to be more consistent with each application we receive.

Attorney Bosich questioned

Police Chief Greg Nelson made a motion to adjourn, seconded by Deputy Liquor Commissioner VonRohr.
Meeting adjourned at 5:05 P.M.

Next Meeting will be Thursday, July 24, 2014 at 4:00 P.M.

Respectfully submitted

Sue McMillan
City Clerk