



**LIQUOR COMMISSION MINUTES
THURSDAY, OCTOBER 22, 2015 AT 4:00 P.M.
CITY HALL CONFERENCE ROOM
111 SOUTH CAPITOL STREET
PEKIN, ILLINOIS 61554**

Liquor Commissioner John McCabe called the meeting to order at 4:07 p.m.

PLEDGE of ALLEGIANCE

ROLL CALL

The following members were present for roll call: Liquor Commissioner John McCabe, Fire Chief Kurt Nelson, Commission Member Buster Hanley and Commission Member Dale Vonderheide.

Absent: Deputy Liquor Commissioner Rick VonRohr and Deputy Police Chief Don Baxter
Also present: Attorney Sue Bosich

APPROVAL OF AGENDA

Motion made by Fire Chief Kurt Nelson to approve the agenda for October 22, 2015, seconded by Commission Member Dale Vonderheide. On roll call vote all present voted Aye. Motion carried.

APPROVAL OF LIQUOR COMMISSION MINUTES

Motion made by Commission Member Buster Hanley to approve the August 27, 2015 liquor commission minutes, seconded by Commission Member Vonderheide. On roll call vote all present voted Aye. Motion carried.

PUBLIC INPUT/COMMENTS/QUESTIONS

Casey's store manager Tara Davis was present and asked about if the Liquor Commission had a chance to discuss recommending that the Liquor Code be changed to allow alcohol sales in gas stations. They are doing remodeling at their N. 8th Street store and was planning on adding a beer cave and they also bought the gas station at the corner of Court and Parkway. She stated they were also considering a third location on Veteran's Drive if alcohol would be allowed. Ms. Davis has 10 store under her supervision. They've only had one incident where they were cited for selling alcohol to a minor. That employee was fired and they were suspended on their liquor license for a weekend. Casey's Corporate office has their own training and they also set up their own stings. Casey's Corporate offices will abide by all rules and regulations of the City of Pekin Liquor Code.

Discussion: Liquor Commissioner McCabe stated our liquor code does not allow selling of alcohol in gas stations right now. It has been brought up many times in the past to allow this. Will research this further.

John Shibu, with SSH Food Mart, 1502 Sheridan inquired about the shop next door to them. They would like to apply for a liquor license to open a liquor store. There are three businesses in this plaza with separate addresses.

Discussion: Liquor Commissioner McCabe stated this is a gray area and will look into it and have an answer at the next meeting.

NEW BUSINESS

**HSB ENTERPRISES, INC. DBA BREAKING POINT
HEATHER BALZAR
17 N. 4TH STREET SUITE A
PEKIN, ILLINOIS 61554**

Discussion: Attorney Bosich stated the site plan is okay. Ms. Balzar will need to fill in the Agent section on the liquor application. There was also a hit on her background check and Attorney Bosch placed a call down to the Court House in Palmyra, MO to get additional information. Ms. Balzar has no idea why a felony would show on her record. She states she was never arrested, never went to court, never received a fine. Attorney Bosich will call when she clears this up. Fire Chief Nelson will stop in and re-measure for her occupancy permit.

Fire Chief Kurt Nelson made a motion to approve the liquor license for HSB Enterprises, Inc. dba Breaking Point at 17 N. 4th Street, Suite A contingent upon completion of the agent section on the liquor application and information on her background check, Seconded by Commission Member Buster Hanley. On roll call vote all present voted Aye. Motion carried.

Discussion: Commission Member Dale Vonderheide asked she will be serving food. Ms. Balzar stated they are approved by the Tazewell County Health Department to have Missy's Café food to be brought in her establishment. If a customer wants to order food through Missy's and sit at our place they can. Liquor Commissioner McCabe suggested a sign above the door stating "No Alcohol Beyond this Point".

**CONSTAR, INC. DBA THE HIGH NOTE
CHAD BALL
431 ½ COURT STREET
PEKIN, IL 61554**

Attorney Bosich read the charges into record: Attorney Bosch stated Mr. Ball plead guilty of the charges. Mr. Ball was charged with 3-3-9 – telephone on premises, 3-3-5-3 – closed circuit video, and 3-3-5-3 – sprinkler system of our Liquor Code. For their 1st offense; \$500.00 fine, costs and Attorney fees. A person called in to the Clerk's Office stating they were Mr. Ball's silent partner (which is another violation that we can look at later). She left and took certain things with her which left the High Note with several violations. In a separate incident Mr. Ball plead guilty to non-payment of our 2% Food and Beverage tax.

Commission Member Hanley made a motion to charge Cornstar, Inc. dba The High Note \$500.00 and cost for above mentioned charges and to re-visit other charges, seconded by Commission Member Vonderheide. On roll call vote all present voted Aye. Motion carried.

ANY OTHER BUSINESS

Attorney Sue Bosich emailed the information regarding the new Happy Hour law to the Liquor Commission members. Also noted was Friends Tap was fined for the 2% Food and Beverage, she is caught up with her 2%, but gave her until November 3rd to pay her \$500 fine and cost. If she does not come into the office to pay, we will prepare to go to court. There was a mishap on serving Chuck Geier from Roxy's his papers for being late on the 2% Food and Beverage tax. Mishap on serving Chuck Geier Roxy's court papers instead of his own. In the meantime Chuck Geier from Roxy's came in and paid up his taxes. All court papers that need to be served from our Police Department will now go back to the attorney's office instead of the City Clerk's office.

Liquor Commissioner McCabe asked about the no smoking in Beer Gardens. Tazewell County Health Department is in charge of enforcing. If more complaints come in can we bring this to the Liquor Commission? Attorney Bosich stated we can.

Commission Member Hanley noticed at the Slot Spot at 424 Derby, right inside the door to the right there is a door that was open. He thought there can't be a door to the existing business? There is a door at the back of the

building that goes to the restrooms and inside that hall there is another door to enter the other business, but that door is locked to patrons. Fire Chief Nelson will go and check this out.

Fire Chief Nelson made a motion to adjourn.

Meeting adjourned at 4:43 P.M.

Next Regular Meeting will be Thursday, November 19th, 2015 at 4:00 P.M. instead of our regular 4th Thursday because of Thanksgiving falling on November 26th.

Respectfully submitted, Paula Gensel, Liquor Commission Secretary