



**LIQUOR COMMISSION MINUTES
THURSDAY, MARCH 24, 2016 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 4:04p.m.

PLEDGE of ALLEGIANCE

ROLL CALL

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

Also present: Attorney Sue Bosich

APPROVAL OF AGENDA

Motion made by Commission Member Hanley to approve the amended agenda for March 24, 2016, seconded by Deputy Liquor Commissioner VonRohr to add the new application Suzi's XVII, LLC and to take off the agenda the two Code Violations from Friends Tap. On roll call vote all present voted Aye. Motion carried.

APPROVAL OF LIQUOR COMMISSION MINUTES

Motion made by Commission Member Vonderheide to approve the February 25, 2016 Liquor Commission minutes, seconded by Deputy Liquor Commissioner Kaminski. On roll call vote all present voted Aye. Motion carried.

PUBLIC INPUT/COMMENTS/QUESTIONS

Nothing at this time.

NEW BUSINESS

**BEGU99, INC. DBA BINA'S PLACE
BLERIM "BEN" BEKIR
319 COURT STREET
PEKIN, ILLINOIS 61554**

Discussion: Deputy Liquor Commissioner VonRohr had heard some comments being made that the licensee was not going to do anything to the building until they got their liquor license, that you are going to do whatever you want. Blerim "Ben" Bekir stated they do plan on remodeling. VonRohr reminded them that they will need to get permits from the Zoning and Inspections Department. Tazewell County Health Department called and stated they fixed everything on her list, she still has to go out to do a final once they open. Attorney Bosich checked to make sure the questions were answered and also named City of Pekin additional insured on their liquor liability insurance.

Commission Member Dale Vonderheide made a motion to approve the Class A liquor license to Begu99, Inc. dba Bina's Place, seconded by Deputy Liquor Commissioner VonRohr. On roll call vote all present voted Aye. Motion carried.

**LUCKYS JACKPOT CAFÉ, LLC DBA LUCKY'S JACKPOT CAFÉ
RANDY STRUBEN
930 SOUTH 2ND STREET
PEKIN, IL 61554**

Commission Member Hanley made a motion to approve the liquor license for Lucky's Jackpot Café, seconded by Commission Member Vonderheide.

Discussion: Deputy Liquor Commissioner VonRohr has problems with issuing a liquor license to Luckys Jackpot Café. The same owner and same manager previously had a liquor license issued to Roadhouse Bar and Grill. There were multiple violations the entire time they had their license. Attorney Bosich stated they allegedly tried to transfer their liquor license to someone else. There were 5 other violations; Gambling, Had a Happy Hour, buying retail alcohol than through a distributor, and marrying like brands of alcohol. There was one incident where the bartender did not call in a fight and the patron was injured. The City of Pekin Liquor Commission revoked their liquor license. Roadhouse Bar and Grill filed an appeal at the State level. We made an agreement and a hefty fine. Liquor Commissioner McCabe asked if all fines were paid. It was noted that half the fines were paid within a month of the Hearing, the other half of fine was paid when they took out the application to open Luckys Jackpot Café. Liquor Commission did not know if there were State fines.

Randy Struben, owner of Lucky's Jackpot Café stated he tried to sale his building contract for deed, that business transaction fell through and so the building has been sitting empty for years. He is trying to get it back on the tax rolls.

On roll call vote: Liquor Commissioner McCabe, aye
 Deputy Liquor Commissioner VonRohr, no
 Deputy Police Chief Kaminski, no
 Fire Chief Nelson, no
 Commission Member Hanley, aye
 Commission Member Vonderheide, aye

Liquor Commissioner McCabe stated a 3/3 vote, so the new liquor license application for Lucky's Jackpot Café is denied. Mr. Struben can reapply and come back before the Liquor Commission.

**SUZI'S XVII, INC. DBA SUZI'S VIDEO POKER & SLOTS
SUSAN MCAFOO'S
1618 BROADWAY
PEKIN, IL 61554**

Liquor Commissioner VonRohr made a motion to approve the liquor license for Suzi's XVII, Inc. dba Suzi's Video Poker & Slots, seconded by Deputy Chief Kaminski.

Discussion: This is a new establishment. There are some changes that will need to be made on the application. Susan filled out a new front page of the liquor license. City Clerk will prorate her liquor license and Susan said she will pay for the new 2016-2017 liquor license as well.

On roll call vote all present voted Aye. Motion carried.

Hearing: Ol' Dad's – 1010 South 2nd Street – Jeff Nizzia

Attorney Bosich read the violations into the record: On or about December 5th, 2015, Officer Ujinski stopped in and saw the bartender and a patron smoking cigarettes. He explained that there is a law for no smoking in establishments and asked them to put them out. On December 6th, 2015 Officer Ujinski went back into the bar

and again the bartender and a patron were smoking inside. This violation is 4-10 ILCS 82-1 of the State Liquor Code. Mr. Nizzia admitted to the charges and signed the guilty plea. This is their 1st violation.

Fire Chief Nelson made a motion to fine Ol' Dad's \$500.00 plus cost, seconded by Deputy Liquor Commissioner VonRohr. On roll call vote present voted Aye; Liquor Commissioner McCabe abstained.

Hearing: Goodfella's – 1414 N. 8th street – Stephen Ruggiero

Attorney Bosich read the violations into the record: This is the 2% Food and Beverage tax that is paid to the City. Goodfella's was sent a letter on February 23, 2016 that he was late in paying his 2% Food and Beverage tax to the City. He is in violation of 3-2-8 and 3-3-11C of the liquor code. Mr. Ruggiero admitted to the charges and signed the guilty plea. Mr. Ruggiero came in and paid all back his 2% Food and Beverage taxes which brings him current. Mr. Ruggiero stated his partner left and he switched accounting firms and now should be on track.

Deputy Liquor Commissioner VonRohr made a motion to fine Goodfella's \$500.00 plus cost, seconded by Commission Member Vonderheide. On roll call vote present voted Aye; Liquor Commissioner McCabe abstained.

Hearing: Pekin Amvet's Post #235 – 1426 S. 2nd Street – Lowell Ely

Attorney Bosich read the violations into the record: This is the 2% Food and Beverage tax that is paid to the City. Pekin Amvet's Post #235 was sent a letter on February 23, 2016 that they were late in paying their 2% Food and Beverage tax. Pekin Amvet's closed their doors on or about February 1st, 2016. They are in violation of 3-2-8 and 3-3-11C of the Liquor Code. Pekin Amvet's Post #235 admitted to the charges and signed the guilty plea. This is their 1st violation.

Deputy Liquor Commissioner VonRohr made a motion to fine Pekin Amvet's Post #235 \$500 plus cost, seconded by Deputy Chief Kaminski. On roll call vote present voted Aye; Liquor Commissioner McCabe abstained.

Liquor Commissioner McCabe asked about the procedures on Hearings. He did not think he was a voting member and that the Commission members are an Advisory Board and makes recommendations only. McCabe will abstain from all Hearings and will make his final decision from the recommendations of the Liquor Commission within 24 hours.

Hearing: Friends Tap was held over until next meeting in April.

ANY OTHER BUSINESS

Attorney Bosich asked the Liquor Commission for direction on the filings of the late 2% Food and Beverage tax with the Tazewell County Court House as well as bring them in front of the Liquor Commission. Consensus of the Liquor Commission is to keep the establishments on the court dockets even if they have paid and can always continue the court date. If they would be late again they would have to appear in court, and if not late and has been paying each month Attorney Bosich can dismiss the offense.

Question was asked about having to have a "local manager" on our liquor applications. A long time Peoria businessman is interested in opening a business here in Pekin and will be manager of the business. It is up to the Liquor Commission if they want to waive that policy. It has always been our policy to have a local manager if they were a Corporation, so we would have someone to contact. Liquor Commission does not see a problem with this and will waive that stipulation and he can proceed with his application.

Discussion: Issues we have with all the liquor license applications that just want to have the license so they can have the State Gaming machines. Liquor Commissioner McCabe discussed this with the EDAC at one of their meetings and it comes down to free enterprise. Only complaints so far have been they are not buying from a distributor, if they run out of alcohol they go buy from the store. Deputy Liquor Commissioner stated it is hard to catch someone doing this. VonRohr has called the State of Illinois Liquor Control Commission for State

audits. Also if the Distributors notice this is becoming a habit they also will notify the State of Illinois Liquor Control Commission. Commission Member Hanley is afraid with all these businesses coming in and some from out of state they will saturate the market. Do we really want all these Gaming Café's in Pekin? The Commission gave Attorney Bosich the okay to pursue this further and get more research from other communities. The City of Peoria adopted a new Ordinance on the Gaming Café's, the City of Pekin could adjust the Ordinance to fit our needs. Deputy Liquor Commissioner VonRohr will also do more research and get with Attorney Bosich on his findings.

Fire Chief Nelson made a motion to adjourn, seconded by Liquor Commission Member Vonderheide.

Meeting adjourned at 5:10P.M.

Next Regular Meeting will be Thursday, April 28, 2016 at 4:00 P.M.

Respectfully submitted, Paula Gensel, Liquor Commission Secretary