



**LIQUOR COMMISSION MINUTES  
THURSDAY, APRIL 28, 2016 AT 4:00 P.M.  
CITY HALL COUNCIL CHAMBERS  
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, Police Chief John Dossey, Fire Chief Kurt Nelson, and Commission Member Dale Vonderheide

Absent: Commission Member Buster Hanley

Also present: Attorney Sue Bosich

**APPROVAL OF AGENDA**

Motion made by Fire Chief Kurt Nelson to approve the agenda for April 28, 2016, seconded by Police Chief John Dossey. On roll call vote all present voted Aye. Motion carried.

**APPROVAL OF LIQUOR COMMISSION MINUTES**

Motion made by Liquor Commissioner John McCabe to approve the March 24, 2016 Liquor Commission minutes, seconded by Commission Member Vonderheide. On roll call vote all present voted Aye. Motion carried.

**PUBLIC INPUT/COMMENTS/QUESTIONS**

Gary Brown had heard a rumor that the Liquor Commission was going to change the Liquor Code on entrances to liquor establishments. He had no other information on that. Mr. Brown was informed that it was just a rumor.

**NEW BUSINESS**

**LUCKY'S JACKPOT CAFÉ, LLC DBA LUCKY'S JACKPOT CAFE  
930 SOUTH 2ND STREET, SUITE B  
RANDY STRUBEN  
PEKIN, ILLINOIS 61554**

Mr. Struben requested to speak to the Commission. He wanted the Commission to know his intent on opening up the business at 930 S. 2<sup>nd</sup> Street. His intent is to have a "Farm to table Fresh" Restaurant/Café. He has lined up a farmer for the beef and Meyer's in Manito for the fresh produce. Will have a "Steak Night" where that is the only thing on the menu. He plans on having a salad bar with all fresh vegetables, will have homemade pies and a Cappuccino machine. He has hired a Chef, a marketing rep, and Crystal will be doing the ordering and cleaning. Mr. Struben stated that the Tazewell County Health Department gave him an excellent rating on his kitchen. The restaurant has seating to serve up to 20 people. He has also set up a delivery service for breakfast

to area truckers coming to for delivery's to the Powerhouse and Pacific Energy. He will have a separate area for the Gaming Parlor.

Commission Member Vonderheide made a motion to accept the new application for Lucky's Jackpot Café, dba Lucky's Jackpot Café at 930 S. 2<sup>nd</sup> Street for a liquor license, Seconded by Liquor Commissioner McCabe.

Discussion: Commission Member Vonderheide asked if this would be a Family Restaurant? Mr. Struben stated he would like to cater more to the older crowd, but children always welcome. Deputy Liquor Commissioner VonRohr's opinion is that Mr. Struben had a liquor license before and abused that privilege. Mr. Struben stated he did not know the laws/liquor code and he has learned from his mistakes. VonRohr would support the restaurant, but does not support issuing a liquor license. Attorney Bosich stated that every liquor license applicant is given the City of Pekin's Liquor Code and they also get one every year with their renewal application packet, so all licensee's should know our Liquor Code. Fire Chief Nelson questioned why this was brought back before the Liquor Commission, when it was voted on at the last meeting. Liquor Commissioner McCabe stated that last meeting it was a 3/3 split vote and therefore can come back before the Commission. Fire Chief Nelson asked what changes have been made since having a previous liquor license? Mr. Struben stated he has a new Corporation name and more staff and everything in his building that he remodeled has been bought locally. He wants to have a nice restaurant with the gaming parlor and bring revenue into the City. Nelson also asked if his application is denied would he still open his restaurant? Mr. Struben stated he would be afraid the restaurant would not make it without the alcohol sales and gaming machines.

On roll call vote:       Liquor Commissioner McCabe, Nay  
                              Deputy Liquor Commissioner VonRohr, Nay  
                              Police Chief Dossey, Nay  
                              Fire Chief Nelson, Nay  
                              Commission Member Vonderheide, Abstain

On roll call vote all present voted: Motion denied.

**Hearing: Friends Tap – 200 Derby Street – Shelie Dennis**

Attorney Bosich read the violation into the record: On or about March 5<sup>th</sup>, 2016, Officer Wilmert was dispatched to Friends Tap for a fight in progress. Officer Wilmert requested the bar video. The bartender informed Officer Wilmert that only the owner Shelie Dennis can release the video. After several attempts to reach Ms. Dennis, Detective Eeten followed up on March 11<sup>th</sup>. Ms. Dennis testified that she was upset because she received a call that her father was in the Illinois river drowning. Detective Eeten stated that Ms. Dennis seemed to be upset over this information, but continued to serve patrons. Detective Eeten requested the video tape again and Ms. Dennis told him the video system did not work. Ms. Dennis plead guilty to the charge of 3-3-9-1 of the City of Pekin Liquor Code. This is their 1<sup>st</sup> violation.

**Hearing: Friends Tap – 200 Derby Street – Shelie Dennis**

Attorney Bosich read the violation into the record: Detective Butler was working on a case and needed to review the video tape from Friends Tap. Detective Butler requested to view the tape on several occasions. Ms. Dennis would not provide the video and had several excuses as to why she would not. Ms. Dennis finally admitted that the system only holds the video for 14 days. She admitted she did not read the City of Pekin Liquor Code to know that she is required to keep video for 30 days. Ms. Dennis will get what she needs so the video equipment will hold video for 30 days. Ms. Dennis pled guilty to the charge of 3-3-9-1 of the City of Pekin Liquor Code. This is their 2<sup>nd</sup> violation.

Attorney Bosich stated that Ms. Dennis's father did drown in Peoria County. Ms. Dennis did comply with the 2% Food and Beverage tax violation and paid her fine and cost. Liquor Commissioner VonRohr stated that when the liquor code was changed a year ago that everyone was sent a new copy. VonRohr stated these were both criminal cases within a month of each other. Should the violations be charged as separate or together? 1<sup>st</sup> offense is \$500.00 plus cost and 2<sup>nd</sup> offense is \$1,000 plus cost.

Fire Chief Nelson made a motion to fine Friends Tap \$1000.00 plus cost, seconded by Liquor Commissioner McCabe. On roll call vote present voted Aye. Motion carried.

**ANY OTHER BUSINESS**

Discussion: Deputy Liquor Commissioner VonRohr went through the Gaming Establishment ideas that Attorney Bosich had emailed out to the Commission. Consensus was to have this on a Council Agenda for discussion. Then the Liquor Commission can get some direction from Council on how to proceed. VonRohr offered to attend the City Council Meeting on behalf of the Liquor Commission.

Meeting adjourned at 4:40 P.M.

**Next Regular Meeting will be Thursday, May 26, 2016 at 4:00 P.M.**

Respectfully submitted, Paula Gensel, Liquor Commission Secretary