



**LIQUOR COMMISSION MINUTES
RESCHEDULED THURSDAY, NOVEMBER 10, 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 4:00 p.m.

The **PLEDGE of ALLEGIANCE** was led by Liquor Commissioner McCabe

ROLL CALL

The following members were present for roll call: Liquor Commissioner John McCabe, Police Chief Alternate Deputy Chief Don Baxter, Fire Chief Kurt Nelson, Commission Member Timm Schwartz (Electronic Attendance) and Commission Member Rose Hasler. A quorum was established by Liquor Commissioner McCabe.

Also present: Attorney Sue Bosich and City Clerk Sue McMillan.

APPROVAL OF AGENDA

Motion made by Deputy Chief Baxter, seconded by Commission Member Hasler that the Agenda be approved as presented. On roll call vote all present voted Aye. Motion carried.

APPROVAL OF LIQUOR COMMISSION MINUTES

Motion made by Commission Member Hasler to approve the October 27, 2016 Liquor Commission minutes, seconded by Deputy Chief Baxter. On roll call vote all present voted Aye. Motion carried.

PUBLIC INPUT/COMMENTS/QUESTIONS

Phillip Blake Lippi addressed the Commission on the quota of gaming cafes in the Video Gaming Ordinance. He asked that the Commission consider that buildings would possibly remain empty in Pekin if restrictions were placed on the number of permitted Video Gaming Café licenses issued. In particular he asked for consideration of his ownership of buildings on N. 8th Street for which he had leases in process and substantial investments in Pekin for 2 proposed gaming establishments. He asked for flexibility for the 2 applications that had not yet been submitted.

NEW BUSINESS

Hearing: Fouraces Up, Inc. dba Doc's Supper Club – 1440 N. 9th Street

Attorney Bosich advised the Members that Stanley Sydlowski was notified of the hearing. She conveyed to the members he was unable to attend the hearing due to a scheduled medical trip of a family member to Chicago. He would not be able to attend extended hearings on Thursdays. Mr. Sydlowski was sent the notice in February that he was 3 months behind in violation of the laws of the State and the Liquor Code by failing to pay the 2% Food and Beverage Tax. Attorney Bosich informed the members that Mr. Sydlowski pleaded guilty but told her he was not charging 2% tax to his customers. Attorney Bosich stated this was Mr. Sydlowski's first offence.

Member Schwartz stated, although Stan was retired he had worked for him in dentistry and questioned if he should recuse himself from voting. It was Attorney Bosich's opinion if he felt he was bias he could. Member Schwartz stated there was no longer a relationship with the licensee. Motion by Nelson, seconded by Baxter that the licensee be fined \$500.00 plus court cost. Attorney Bosich requested to be able to add to the Order that Mr. Sydlowski be required to complete his paper work with the City. Nelson questioned and it was stated the

establishment had been closed for several months. The amount owed would not be known until Mr. Sydowski came into City Hall to pay the Finance Department. On roll call vote all present voted yes. Motion Carried.

New Application:

AARAV1121, Inc. dba Quickpic Liquor -422 Derby Street

The application for a Class B package liquor license was next discussed. It was explained by the Seller that both applications for the package liquor licenses and the gaming establishment were to be submitted at the prior meeting when 423 Derby Street was approved to the same corporation. But in a misunderstanding about remodeling, the Quickpic application before them was left off the agenda. It was confirmed the door between the 2 separate addressed businesses with an adjoining wall would remain locked at all times. Police, fire, and building Code reviewers had no remaining issues with the premises. Motion by Nelson, seconded by Baxter that the license be granted contingent on sale closing with copy of the deed to the City. On roll call vote all present voted Aye. Motion Carried.

Liquor Commissioner McCabe brought to the Commission's attention that there was need for discussion among the Members of procedures and check sheet review for applications to be ready for the commission approval without contingencies. There had become a pattern of back and forth of fire, police, and building department review and sign-off. He asked that the commission discuss the matter at the next meeting.

VIDEO GAMING ORDINANCE

Attorney Bosich present a revised draft of the Video Gaming Ordinance and stated the changes that the Commission Member had suggested at the last meeting:

- The word owner changed to licensee in section 7.
- Number of licenses issued to 15.
- Fee remained the same up to the year 2019 increase.

Discussion followed.

Liquor Commissioner McCabe commented that he had received concerns on the new fee for each terminal. He advised the Members he had tracked 4 licensees from the Illinois Gaming Board reports over a year for profits from the terminals in place at their establishments. He justified the fee in that profits averaged \$2,400-\$4,600 per month with all responsibilities of the machines handled by the State. Schwartz noted he was not fond of the number being placed at 15 and felt the market would control the number. Arguments were heard that larger corporations with no connection to the City would prevail. Concerns of the image of the City were discussed along with comparing Morton with no gaming and Peoria placing constraints of issuance at the present time. Discussion also included the fact that there was no increase in crime and that the availability of increased number of cafes enabled addiction to gambling. Also noted was the opinion and obligation to take care of the hometown licensees. Nelson noted as Fire Chief he was happy to have something in the empty buildings because safety features would be added. Attorney Bosich clarified that the number limit applied to cafes but the fees applied to all licensees. Motion by Member Schwartz, seconded by Nelson that the number of licenses granted to cafes be 20. On roll call vote; Ayes, Schwartz, Baxter, Nelson, Hassler; Nay, McCabe. Motion Carried. Motion by Nelson, seconded by Baxter that the Video Gaming Ordinance be approved and recommended to the City Council for the meeting of November 28, 2016. On roll call vote; Ayes, Schwartz, Baxter, Nelson, Hassler; Nay, McCabe. Motion Carried.

ANY OTHER BUSINESS

Liquor Commissioner McCabe suggested rescheduling the **Next Regular Meeting Thursday, December 15, 2016 at 4:00 P.M.** All agreed.

Motion made by Fire Chief Nelson to adjourn, seconded by Deputy Chief Baxter.
Meeting adjourned at 5:00 P.M.

Respectfully submitted
Sue E. McMillan for
Paula Gensel, Liquor Commission Secretary