



CITY OF CARBONDALE, ILLINOIS
LIQUOR ADVISORY BOARD
Thursday, May 10, 2018 - 5:30 p.m.
Civic Center, 200 S. Illinois Avenue, Room 103

The City of Carbondale's Liquor Advisory Board held a meeting on Thursday, May 10, 2018, in Room 103 of Carbondale City Hall, 200 South Illinois Avenue. Chairman Monty called the meeting to order at 5:30 p.m. with the following-named members of the Board present/absent:

1. Roll Call

Present: Mark Robinson (5:38 p.m.), John Mills, Steve Payne (5:31 p.m.), Tasis Karayiannis, and Donald Monty

Absent: David Cisco, Henry Webber, Taylor Delaney

A quorum was available to take action on the agenda items. City Staff present for the meeting included City Clerk Jennifer Sorrell, City Attorney Jamie Snyder, Lieutenant Matt Dunning, and Building and Neighborhood Services Manager John Lenzini

2. Approval of minutes from March 1, 2018

J. Mills moved, T. Karayiannis seconded, to approve the minutes of March 1, 2018. VOTE: All voted aye; motion declared carried.

3. Review of Third Quarter Reports for License Year 2017-2018

Lt Dunning responded to Board inquiries about an officer's discretion regarding what charges to cite in the event of an arrest; what factors may account for a decrease in arrests; and the history of noise problems with Saluki Bar/Levels. It was noted that the beer garden complaint was on a Thursday and it has a pending Liquor Control hearing to address this matter, with two additional complaints also pending. The Board remarked that the Local Liquor Control Commission has the discretion as to whether or not they approve a beer garden permit or a beer garden permit with entertainment. The Board asked if the licensee had provided an explanation for their behavior. It was suggested that the City Council take a look at it.

John Lenzini responded to inquiries regarding the inspection process, noted that some of the liquor license renewal inspections are included on this report, remarked that the renewal inspections were going well, responded to the seriousness of certain safety violations such as emergency lights, exits, and fire extinguishers, what "housekeeping" issues entail, disorderly housekeeping and overcrowded basements leading to an increased fire load.

J. Mills moved, M. Robinson seconded, to accept and forward Third Quarter Reports for license year 2017-2018 from Development Services and the Police Department. VOTE: All voted aye; motion declared carried.

4. Consideration of Liquor License Renewal Applications for License Year 2018-2019

The Board discussed the summaries provided to them in order to assist in their review of renewal items. It was noted that there were initially a number of businesses who had not provided their Business Data Report which demonstrates compliance with required minimum percentages for a given class of license. Both Reema's and El Greco do not have a full license year to report. Additionally, a number of licensees were delinquent on their Food and Beverage or Package Liquor taxes. The City Attorney explained the practice for collecting on the food and beverage taxes and noted that failure to pay such taxes were grounds to not renew licenses. The Board indicated surprise at how many locations had not turned in their items in a timely manner and suggested it might be time to consider instituting a penalty or fee. The Clerk noted that the licensees have two full months to gather items together, which particularly with the new BASSET requirements, is now a more challenging endeavor. The Board

then remarked on the number of locations which have issues with meeting the residency requirement; the Clerk noted that while many individuals have Carbondale addresses, several live outside of the corporate limits. Particularly with the smaller establishments, it can be a challenge to have an employee who meets the residency requirements. Alternatives may be to consider extending the residency to the City's zoning jurisdiction, the employment residency radius, or to allow residency to be established by living in Jackson County. The Board agreed that is a subject that should be reviewed. There was discussion regarding the difficulties in meeting and maintaining the number of BASSET-trained employees required.

Finally, the Board reviewed Key West's continuing issues with meeting the minimum percentage requirements for a Class B2 license, which would require that less than ½ of their revenue coming from video gaming. Mr. Scott Uffelman was present to respond to these concerns. He noted that Key West and Reel Lucky have two distinct sets of customers who chose one location for their gaming. Additionally, he indicated that a new restaurant within Key West should be open in a couple of weeks.

Mr. Monty noted that he would be abstaining from voting on Schnucks' application due to his continued frustration with their failure to block off grocery aisles that have alcohol during hours when such sales are prohibited. Building and Neighborhood Services Manager John Lenzini indicated that he would contact the licensee to remind them of this requirement. There was a discussion about the purpose of this requirement and which locations are compliant.

MOTION: J. Mills moved, M. Robinson seconded, to recommend approving the renewal of the liquor licenses in one motion as listed, contingent upon receipt of all outstanding items. VOTE: John Mills, Mark Robinson, and Tasis Karayiannis aye; Donald Monty abstain. Motion declared carried.

5. Clerk Update on City Council Discussion of Alternatives Outlined for the Rewrite of Chapter Two of the Liquor Code, Specifically Relating to the Hearing Officer and Summary Action Authority

The Clerk apprised the Liquor Advisory Board as to the City Council's support or opposition to three options presented to them for amendments to Chapter Two of the Liquor Code. There was support for an external Hearing Officer, but not to expand Summary Action Authority, or to permit bypassing a Liquor Control Commission Hearing to accept the Hearing Officer's Report and Recommendation for a Stipulated Plea of Guilty.

6. Citizens' Comments

None.

Next Meeting: June 7, 2018

7. Adjournment

Meeting adjourned at 6:21 p.m.

Jennifer R. Sorrell, City Clerk

Date Approved