

MINUTES OF THE CITY OF PEORIA
LIQUOR COMMISSION
March 2, 2009

A meeting of the City of Peoria Liquor Commission was held in Room 404, City Hall, Peoria, Illinois, on March 2, 2009, Chairman Frank McCabe presiding.

ROLL CALL:

Present: Chairman Frank McCabe; Commissioners Ted Arndt; Drew Cassidy; Don Jackson, Dan Irving - 5

Absent: 0

Others present: Deputy Liquor Commissioner Eric Turner; Assistant Corporation Counsel Sonni Williams; Liquor Investigator Scott Jordan; Jim Brownfield, Inspections; Fire Investigator Otis Leach; Kimberly Smith, Planning; Kristin Cannaday-Stash, Secretary; and concerned citizens and media.

I. CALL TO ORDER

Chairman McCabe called the meeting to order at 3:30 p.m.

II. APPROVAL OF MINUTES

Commissioner Arndt moved to approve the Minutes of the February 2, 2009 Liquor Commission Meeting; seconded by Commissioner Jackson.

Approved by roll call vote:

Yeas: Arndt, Cassidy, Irving, Jackson, McCabe – 5;

Nays: 0

III. LIQUOR SITE APPLICATIONS

Because of information being distributed to the Commissioners at the beginning of the meeting regarding the site application at 1401 SW Washington, Chairman McCabe stated that the applicant with Case No. 09-5 would be heard at the end of the site applications so everyone would have a chance to read the information being distributed.

09-6 Mercedes Restaurants
d/b/a Alexander Street Steak House
100 Alexander
Has: Class B (restaurant, full-service bar)
Requesting: Subclass 2 (live entertainment)

Steve Shaw, representing Mercedes Restaurants, presented a site application for a Subclass 2 (live entertainment) license to be added to the Class B Liquor License at 100 Alexander.

In discussion with Chairman McCabe, Mr. Shaw stated he was looking for theme-oriented type of entertainment such as St. Patrick's Day and different events to draw people. He indicated they planned to have the entertainment in the lounge which is the current bar area.

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Mr. Shaw added that they were planning to have small groups, two or three piece bands, and all the entertainment would be on the inside of the building, nothing on the outside so there would be no interference with the boaters' area.

Hearing no additional questions or comments, Chairman McCabe called for the motion.

A motion was made by Commissioner Arndt to APPROVE the site application to have a Subclass 2 (live entertainment) License be added to the current Class B (restaurant, full-service bar) Liquor License at 100 Alexander; seconded by Commissioner Arndt.

Yeas: Arndt, Cassidy, Irving, Jackson, McCabe - 5;

Nays: 0.

09-7 Paul and Diane Hahn
d/b/a Water Street Wines, Café and Coffees
100 State Street, Suite A
Has: Class G (restaurant, beer & wine only)
Subclass 3A (sidewalk café)
Requesting: Change to Class B (restaurant, full-service bar)
Add Subclass 2 (live entertainment)

Diane and Paul Hahn presented a site application to change their current Class G (restaurant, beer & wine only) to a Class B (restaurant, full-service bar) and to add a Subclass 2 (live entertainment) License to the license at 100 State Street, Suite A.

In response to Chairman McCabe, Ms. Hahn said business was good and they wanted to expand to a full-service bar.

In discussion regarding the live entertainment, Ms. Hahn indicated that they had interest from their patrons for a harpist, acoustical guitar or a two-person ensemble in the outdoor seating area. She said that if the weather was bad, they could always move a small group inside the restaurant. She stated that, at this time, they planned to offer music one time a month and she was aware there could be no amplification in an outside area.

In discussion with Commissioner Jackson, Attorney Williams stated that they would not have any amplified sound and the group had to be limited to two instrumentalists and one vocalist. She also indicated there are other establishments that have music outside and if there are any complaints about the noise, they would be issued a citation.

Ms. Hahn stressed that they serve alcohol, but that her establishment was a restaurant primarily and this would be an outdoor dining area.

Liquor Investigator Jordan stated there was a restriction of no music at two beer gardens in Peoria because there was a residential area right behind the beer gardens, one at Crusen's and the other at American Pi. He added that Martini's has live music outdoors also.

In further discussion regarding the live music outside, Pat Sullivan stated that there were 10 apartments above this establishment and they gave their blessings to this site application.

Hearing no additional questions or comments, Chairman McCabe called for the motion.

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A motion was made by Commissioner Jackson to APPROVE the site application to change to a Class B (restaurant, full service bar) with a Subclass 2 (live entertainment) License added to the Subclass 3A (sidewalk Café) License at 100 State Street, Suite A; seconded by Commissioner Cassidy.

Yeas: Arndt, Cassidy, Irving, Jackson, McCabe - 5;

Nays: 0.

09-5 James McGhee
d/b/a Blue Collar Bar
1401 SW Washington
Requesting: Class A (tavern)
Subclass 1 (4:00 a.m. closing)

James McGhee presented a site application for a Class A (tavern) with a Subclass 1 (4:00 a.m. closing) Liquor License at 1401 SW Washington.

Several letters of concern, along with signed petitions, were placed on file with the Commission Secretary and are attached to these Minutes.

In response to Chairman McCabe regarding if the letters of concern were more about the 4:00 a.m. closing, Mr. Joe Richey, 1412 SW Washington, stated he is personally opposed to having a bar in this area with the added noise, traffic and problems it would bring.

Commissioner Jackson stated that there would be traffic regardless because Washington is a major thoroughfare.

Mr. Richey stated this was a very busy intersection with Routes 116 and 8 as well as Routes 24 and 29. He stated that he was unaware of any change in traffic when this Hardee's closed in the early 1990's because he was not in this area at this time.

Regarding neighbors in the area, Mr. Richey stated that Pioneer Services, the Phoenix facility, was renovating a building that was licensed for 30 residents which was within 300 feet.

In discussion with Commissioner Jackson regarding the Phoenix facility, Attorney Stephen West stated that the City had denied the expansion of that building but did not deny having services at that facility. Attorney West stated the neighborhood had also expressed concern about the expansion of that building to serve 108 residents rather than the 30 residents it is currently licensed for because of trying to stabilize the neighborhood. He referred to the letter from Attorney David Couri, which is attached to these Minutes.

Ms Michelle Richey, 1412 SW Washington, clarified that the neighbors were against the expansion of Phoenix House and the City having to rezone that area for that expansion, they were not against the 30 residents who live in Phoenix House. She indicated they also felt the expansion was unfair to the people living at River West.

Ms. Brenda Coates, Chief Executive Director of the Peoria Housing Authority, indicated they had brought this application to their Board for discussion and the Board is not in favor of any additional liquor establishments in this area. She said that part of the reason was because of the Apollo which is located close to their development and with the 4:00 a.m. license, there have been incidents there already. She stated that the Board felt there would be impact to their residents if another bar was allowed to open in this area.

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In response to Chairman McCabe, Ms. Coates said that on behalf of the Board the main concern is opening another tavern and the second concern is the 4:00 a.m. closing.

In further discussion regarding the expansion of the 4:00 a.m. zone with Chairman McCabe, Ms. Coates stated that, in talking with the manager of River West, some of the pressure has been taken off of the Elk's Club since the expansion but she indicated that once the Elk's closes they move again down to the Excalibur.

Commissioner Jackson clarified that the Elk's Club was there before any of the developments and that PHA was two blocks away from River West.

Commissioner Cassidy stated that he was aware of the issues at the Apollo and that a lot of the problems were because of demand because all the patrons cannot fit in the door so they hang around outside.

In response to Commissioner Cassidy regarding that if there were other establishments in the area, they might possibly relieve some of the issues by offering more supply for the demand, Mr. Richey indicated that taking the pressure off the Apollo by more bars in his neighborhood was not a good way to improve his neighborhood. He expressed concern that the Excalibur was supposed to take some of the pressure off the Apollo and the Excalibur was robbed and the owner stabbed last week.

Ken Ferino, property owner of 926 SW Washington, expressed concern about the traffic and the confusion of the intersection on MacArthur and Washington. He explained that you have to cut across lanes of traffic to get in the correct lane and being impaired at all would become a problem.

In response to Attorney West's expressed concerns about the hours and package liquor, Mr. McGhee stated that he was planning on opening about 3:00 p.m. and had no plans to sell package liquor.

In response to Commissioner Jackson regarding improvements to the property, Mr. McGhee stated they would be removing the drive-through window and some renovation on the inside by cleaning it up and getting it ready for patrons. He indicated the building was 1500 s.f.

IV. UNFINISHED BUSINESS

There was no unfinished business discussed at this meeting.

V. NEW BUSINESS

VI. NEXT SCHEDULED MEETING

The next scheduled regular meeting of the Liquor Commission is Monday, April 6, 2009.

VII. ADJOURNMENT

Commissioner Arndt moved to adjourn the meeting; seconded by Commissioner Irving.

Approved by viva voce vote.

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The Liquor Commission Meeting adjourned at _____ p.m.

Kristin Cannaday-Stash, Secretary

Attachments