

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

A meeting of the City of Peoria Liquor Commission was held in Room 404, City Hall, Peoria, Illinois, on February 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; 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 January 5, 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

09-3 MJC Entertainment Inc.
d/b/a Chillers
2411 W. Pioneer Parkway, Suite B
Requesting: Class A (tavern)
Subclass 2 (live entertainment)

Mike Conroy presented a site application for a Class A (tavern) and a Subclass 2 (live entertainment) at 2411 W. Pioneer Parkway, Suite B.

In discussion with Chairman McCabe regarding this location, Mr. Conroy stated that something was going into the Shopko, which he had heard was Farm & Fleet, and something in the old Menard's, which he believed was Green Chevrolet. He indicated there was a haircutting place on the corner of the strip mall, then his place, then a beauty supply store, next was the Dollar Store, then Shopko.

In further discussion Mr. Conroy stated that he planned to be open from 1:00 p.m. until 1:00 a.m. seven days a week. He added they planned to have bar-type food, frozen pizzas and maybe some wings from Garner's down the street.

LIQUOR COMMISSION – February 2, 2009

Mr. Conroy indicated his establishment was about 1500 square feet, with 30 bar stools and 3 tables with two stools at each table. He said they planned to have shuffleboard table, darts and a couple of video games.

In discussion with Commissioner Irving, Mr. Conroy stated he has experience in running a couple of different businesses and had bartended in school. He also indicated that a friend who had owned Johnny Vig's in the Metro Center was guiding him as a friend and a consultant.

Regarding concern about the noise, Mr. Conroy said that even though it had a dropped ceiling, the walls went all the way to the top of the building and they would be willing to spray some foam insulation into the walls if noise became a problem. Mr. Conroy indicated they planned to have a DJ and karaoke one night a week and maybe an occasional band like a three-piece jazz band.

Commissioner Cassidy stated he had no problems with opening a tavern in this location but he did have a concern about the noise from live entertainment in a 1500 square foot facility with neighboring businesses on both sides. He asked about the possibility of going ahead with the request for a Class A license without the live entertainment license until he got his feet on the ground.

Mr. Conroy stated if they had to withdraw the live entertainment license to be able to get the Class A license, they would; however, he stressed they are not going for a college crowd bar but are aiming towards the more professional crowd in that area.

Mr. Conroy stated he and his consultant had run several businesses and felt this was a good opportunity to get in with the low rent, the installed sprinkler system, the dropped ceiling, everything they need except for the plumbing changes.

Liquor Investigator Jordan stated he talked with all the neighboring businesses and they have no problem with this business and indicated they would be happy for more foot traffic. He suggested that Chillers be a good neighbor by keeping the speakers off the wall to help keep the noise down and picking up the trash thrown down by their patrons.

Commissioner Irving reiterated his concern about the noise going into other businesses because of the problems that had arisen with Bananas.

Attorney Williams stated that the Commissioners could grant the license conditioned upon the licensee installing soundproofing in the walls.

Chairman McCabe stated that he knew the applicant was willing to do what was necessary, but expressed concern about the expense involved.

Commissioner Cassidy reiterated that a band was a different animal from karaoke and the City Council needed to review the Subclass 2 Ordinance and give a subclass that would allow karaoke without having to grant a whole live entertainment license. He stated there had been many applicants who had only wanted a license for karaoke who had been denied because a whole live entertainment license would have to be granted.

Deputy Liquor Commissioner Turner stated he would ask the City Council to review that Subclass 2 Ordinance and report back to the Liquor Commission at the next meeting.

LIQUOR COMMISSION – February 2, 2009

Attorney Williams stated that the issue of karaoke had been studied in the past and it was discovered that speakers could amplify decibels at the same level as a live band.

Commissioner Jackson stated there were not special conditions placed on Banana's and he felt there should be no special conditions placed on this applicant.

Hearing no additional questions or comments, Chairman McCabe called for a second on Commission Cassidy's motion. Commissioner Irving stated he would second it for a vote.

A motion was made by Commissioner Jackson to recommend APPROVAL of the site application for a Class A (tavern) with a Subclass 2 (live entertainment) license at 2411 West Pioneer Parkway, Suite B; seconded by Commissioner Arndt.

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

Nays: 0.

**09-4 Bee-J Amusements
 d/b/a Corner Pocket
 1720 S. Livingston
 Requesting: Class A (tavern)**

Holly Stanton, owner, presented a site application for a Class A (tavern) at 1720 S. Livingston.

In regards to all the work that would need to be done on the building, Ms. Stanton said she planned on renting the building; however, the final lease signing was contingent upon the granting of the site for a liquor license. She added that the property owner had said he would incur some of the cost of fixing up the building. She then distributed a letter explaining their business plans, a copy is attached.

Chairman McCabe indicated that the Police Department was very concerned and had recommended denial because this building is surrounded by a residential area and once a site is approved, it is very hard to take it back if the applicant does not do what they say they are going to do.

Ms. Stanton said she sent out the notices and was unaware of any opposition from the neighbors.

Ron Lightbody, 1809 Lydia which is right around the corner from Corner Pocket, stated there was a lot of opposition and presented a petition from the neighbors with 43 signatures. He said this bar had been closed down for a couple of years and the neighbors would like to keep it that way. He stated there is no parking for this establishment and, if it should open again, there is a lot of concern about the noise and litter because it is surrounded by homes. Mr. Lightbody stated there was talk about turning this neighborhood around with the new school.

In discussion with Commissioner Jackson regarding bars in that area, Mr. Lightbody indicated there were bars on Western, Laramie and Starr which were within four blocks of this establishment.

In further discussion regarding neighbors not receiving a notice of this pending site, Attorney Williams indicated that the ordinance requires the applicant to send notices to the property owners within 300 feet to the last known addresses where the tax bills are sent. The applicants

LIQUOR COMMISSION – February 2, 2009

are referred to the City Assessor's Office to obtain the list of property owners and the mailing addresses.

Commissioner Jackson expressed concern that there seemed to be a blanket denial of any site application that is located in the southside because it is part of a neighborhood.

Mrs. Lightbody stressed that the neighbors who lived in that neighborhood did not want the site granted, not the City. She said the crime was already too high in that area and they were ready for this neighborhood to be turned around with the new proposed school site.

In discussion with Commissioner Jackson regarding the notice problem, Ms. Stanton stated they had posted the yellow notice on the building, but it had been taken down.

Mr. Lightbody stated that he had seen the notice on the building on January 15, but did not know how long it was there.

In discussion with Commissioner Cassidy regarding the addresses on the petition, Ms. Lightbody indicated that they had approached everyone within about 300 feet of the proposed site which included Livingston, Faraday, Adams, and Lydia.

Commissioner Jackson questioned putting a site in a place that needed such a substantial investment.

Ms. Stanton said she was willing to put forth the effort and that her plans were for a neighborhood bar with pool and dart leagues and tournaments. She stated she had experience running pool tournaments at the Par-a-dice.

In discussion with the Lightbody's, Commissioner Jackson determined that they did not feel there needed to be a tavern in the middle of all the houses and that it would be fine on a busier main thoroughfare.

In discussion with Commissioner Arndt, Mr. Lightbody stated that the School District planned to rehab this neighborhood all the way to Western where they planned to put a new school.

In response to Commissioner Arndt regarding how long the establishment had been closed, Liquor Investigator Jordan stated that it had been closed since 2005 and an applicant was denied in 2006 because they were not qualified.

Commissioner Irving established that Maverick Holdings is the owner of the building and the intended lessee was Garie Morrow, who is the son of Holly Stanton. Ms. Stanton stated the Ty Siebert who owns Bee-J Amusements is the actual owner of the building, which Maverick Holdings is a subsidiary.

Hearing no further questions or comments, Chairman McCabe called for the vote.

Commissioner Cassidy agreed somewhat with Commissioner Jackson that there was too much of a gut reaction to neighborhood bars, but in this particular instance with a house only 10 feet away, it was not a good site.

Commissioner Jackson stated he would vote against this site application also because this area would be going through substantial renovation and until the plans are solidified, he would vote

LIQUOR COMMISSION – February 2, 2009

against the application. However, he stated he wanted to be clear that he was not opposed to neighborhood bars.

Commissioner Arndt agreed, stating he was from the southside; however, because this site is right in the heart of the neighborhood and, at this time, this is not a good place to open.

Chairman McCabe stated the idea sounded good, but he did not feel that this was the place.

A motion was made by Commissioner Irving to recommend **DENIAL**, concurrent with the recommendation of the Police, of the site application for a Class A (tavern) with a Subclass 2 (live entertainment) at 1720 S. Livingston; seconded by Commissioner Cassidy.

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

Nays: 0.

IV. UNFINISHED BUSINESS

There was no unfinished business discussed at this meeting.

V. NEW BUSINESS

Annual Liquor Meeting

Attorney Williams stated that the Annual Liquor Meeting would be held on Monday, February 16, 2009 at 9:30 a.m. in Room 220 at the Civic Center.

Notices

Attorney Williams stated that notices are to be sent to all taxpayers within 300 feet of a site application address. She stated that sometimes there is evidently a delay with the City Assessor getting the updated information from the Recorder of Deeds Office when someone who moves and fails to change their address or someone sells their home. She indicated she would check to see if the County Recorder of Deeds Office would be willing to give that 300-foot list to an applicant without charge and see if the addresses of the property owners were more reliable and current.

VI. NEXT SCHEDULED MEETING

The next scheduled regular meeting of the Liquor Commission is Monday, March 2, 2009.

VII. ADJOURNMENT

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

Approved by viva voce vote.

The Liquor Commission Meeting adjourned at 4:12 p.m.

Kristin Cannaday-Stash, Secretary

Attachments

