

**MINUTES OF THE CITY OF PEORIA**  
**LIQUOR COMMISSION**  
**September 7, 2010**

A meeting of the City of Peoria Liquor Commission was held in Room 404, City Hall, Peoria, Illinois, on September 7, 2010, Chairman Frank McCabe presiding.

**ROLL CALL:**

Present: Chairman Frank McCabe; Commissioners Ted Arndt; Drew Cassidy; Don Jackson;  
Virginia White - 5

Absent: 0.

Others present: Assistant Corporation Counsel Sonni Williams; Liquor Investigator Scott Jordan; Fire Inspector Dan McGann; Building Inspector Jim Stevens; 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 Jackson moved to approve the Minutes of the August 2, 2010 Liquor Commission Meeting; seconded by Commissioner White.

Approved by roll call vote:

Yeas: Cassidy, Jackson, McCabe, White – 4;

Nays: 0

Abstention: Arndt – 1 (absent from 8/2/10 meeting).

**III. LIQUOR SITE APPLICATIONS**

**10-29            De-Man, Inc.**  
**d/b/a Tilted Kilt Pub & Eatery**  
**7716 N. Route 91**  
**Requesting:    Change from Subclass 3A (sidewalk café) to**  
**Subclass 3 (beer garden)**

Pete Mangieri, construction manager, presented an application for a Subclass 3 (beer garden) liquor license for 7716 N. Route 91.

Mr. Mangieri stated they had decided to change from their current Subclass 3A (sidewalk café) license to the Subclass 3 (beer garden) license because they felt that would better serve their customers.

Mr. Mangieri stated he was aware of the letter from Chief Settingsgaard and they had some of the same concerns. He explained that their major concern is if a patron is out in the patio area standing up smoking a cigarette with a drink in their hand and the Police come by and give him a ticket because he is not seated in the café area. He stated that they also do not want to create problems with the Wingate or Hampton Hotels because of noise issues and stressed that

they would not allow the music or noise level to become excessively loud or out of control beyond a certain time.

Mr. Mangieri explained that the rules for a patio are they stay open until Midnight and everyone sits down. He said he felt the smokers are going to want to go outside and stand with a drink in their hand, and if they are dry they may run to the bar and get their own drink and take it outside. He indicated he does not want to get anyone ticketed because they are standing up instead of sitting down.

Liquor Investigator Jordan stated that one of the issues was that approval stays with the site even if the tenant changes as long as alcohol is sold within the 12 months. He indicated that a happy marriage would be if the beer garden would close at Midnight because from Midnight to 2:00 a.m. is when the problems come in.

Liquor Investigator Jordan indicated that the Police Department is not adamantly opposed to this application, but concern came up because of the proximity to the hotel. He stated that he did look at Buffalo Wild Wings, but they were operating before the apartments were built.

Mr. Mangieri stated that their intention is not to have anything out in the beer garden past Midnight. He indicated that one of their policies will be that there will be no music or excessive noise past certain hours.

Commissioner Jackson stated that the sidewalk café does not allow live music until 2:00 a.m., while a beer garden does. He stressed that the Commission had consistently refused karaoke inside in neighborhood bars because they would disturb the neighbors, especially in the southside and the Commission should stay consistent in their decisions. The neighbors in this case, he said, are the residents in the two hotels and they are not really represented. He also stated that this was different than the wings place because when they applied, there was nothing but vacant land behind them. He indicated that for these reasons, he would be voting against this application.

Commissioner Cassidy disagreed and said the Commission had given beer gardens to Crusen's on War Memorial with neighbors concerns and they were doing ok. Buffalo Wild Wings is not having any problems. Donnelly's on Glen also had a beer garden. He indicated that a place that cannot get a live entertainment license is different. He added that the Commission has been responsible to the neighbors and the hotels have not objected and certainly do not want to lose their guests. He said he felt this was an appropriate location with the understanding they would police themselves because they are subject to noise violations.

Hearing no more questions, Chairman McCabe called for the vote.

A motion was made by Commissioner Cassidy to approve the Subclass 3 (beer garden) liquor license at 7716 N. Route 91 with the condition that the beer garden will stay open until Midnight only; seconded by Commissioner Arndt.

Yeas: Arndt, Cassidy, McCabe, White – 4;  
Nays: Jackson 1.

**IV. UNFINISHED BUSINESS**

There was no unfinished business presented at this meeting.

**V. NEW BUSINESS**

There was no new business presented at this meeting.

**VI. NEXT SCHEDULED MEETING**

The next scheduled regular meeting of the Liquor Commission is Monday, October 4, 2010.

**VII. ADJOURNMENT**

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

Approved by *viva voce* vote.

The Liquor Commission Meeting adjourned at 3:40 p.m.

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*Kristin Cannaday-Stash, Secretary*