

**MINUTES OF THE CITY OF PEORIA
LIQUOR COMMISSION
December 5, 2011**

A meeting of the City of Peoria Liquor Commission was held in Room 404, City Hall, Peoria, Illinois, on December 5, 2011, Chairman Frank McCabe presiding.

ROLL CALL:

Present: Chairman Frank McCabe; Commissioners: Drew Cassidy; Mike Miller; David Turner;
Virginia White – 5

Absent: 0.

Others present: Deputy Liquor Commissioner Eric Turner; Assistant Corporation Counsel Sonni Williams; Brady Waldrop, Legal Intern; Liquor Investigator Scott Jordan; Fire Investigator Dan McGann; Building Inspector Jim Stevens; Kristin Cannaday-Stash, Commission 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 White moved to approve the Minutes of the November 7, 2011 Liquor Commission Meeting; seconded by Commissioner Miller.

Approved by roll call vote:

Yeas: McCabe, Miller, D. Turner, White – 4;

Nays: 0;

Abstention: Cassidy – 1.

III. LIQUOR SITE APPLICATIONS

11-33 Maurice Cobige
d/b/a Players Club
815 SW Adams, 2nd Floor
Requesting: Class A (tavern)
Subclass 1 (4:00 a.m. closing)
Subclass 2 (live entertainment)

Maurice Cobige, proposed owner, presented an application for a Class A (tavern) with a Subclass 1 (4:00 a.m. closing) and a Subclass 2 (live entertainment) Liquor License at 815 SW Adams, 2nd Floor.

In discussion with Chairman McCabe regarding how much it would be to bring the building up to Code, Mr. Cobige stated that he had received information from the City about this.

In discussion about installing an elevator, Mr. Cobige stated he was planning on putting in a ramp instead.

Building Inspector Stevens stated he had checked and it was required that the building be brought up to Code with all of the ADA requirements fulfilled, which would mean an elevator or lift, not a ramp. He stated that a ramp would not be practical because of the rise/pitch requirements.

Liquor Investigator Jordan stated that the Police Chief is adamantly opposed to this site application because he has served public nuisance letters on this site twice already and it has a history of illegal activities. The most recent occurrence was when a security officer was murdered there after a large fight. Liquor Investigator Jordan stated that the building is broken up in numerous small rooms and hallways with a stairway up and stairway down and if a shooting or fight breaks out it would take some time to even find out where it was. He stressed that the site, which had a capacity of 355, and is on the upper level was just not safe and it would be very difficult to get all the occupants out if a fire or fight would start because of the layout of the rooms.

Mr. Cobige stated that he thought it would be ok because of his new management, a new crowd, and good professional security.

In discussion with Commissioner D. Turner regarding renting another location, Mr. Cobige said he had looked around.

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

A motion was made by Commissioner Cassidy to recommend DENIAL of the site application for a Class A (tavern) with a Subclass 1 (4:00 a.m. closing) and a Subclass 2 (live entertainment) Liquor License at 815 SW Adams, 2nd Floor; seconded by Commissioner Miller.

Yeas: McCabe, Cassidy, Miller, D. Turner, White – 5;

Nays: 0

Chairman McCabe explained that this application would be heard before the City Council on Tuesday, December 13, 2011 for a final determination.

11-34 Shane White

Two25 Restaurant, Inc.

225 NE Adams

Requesting: Subclass 2 (live entertainment)

**Has: Class B (restaurant/full-service bar, 50% food)
 Subclass 3A (sidewalk café)**

Shane White, owner, presented a site application for a Subclass 2 (live entertainment) License to be added to her Class B (restaurant/full-service bar, 50% food) Liquor License with a Subclass 3A (sidewalk café) at 225 NE Adams.

Mr. White stated that he was planning to have live jazz on Friday nights during their happy hour from 5:00 p.m. until 9:30 p.m. He also indicated they were thinking about an occasional acoustical guitar and said that they wanted the option of being able to provide live entertainment for their patrons.

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

A motion was made by Commissioner White to approve the application of the Subclass 2 (live entertainment) license to be added to the Class B (restaurant/full-service bar/50% food) Liquor License with a Subclass 3A (sidewalk café) at 225 NE Adams; seconded by Commissioner D. Turner.

Yeas: McCabe, Cassidy, Miller, D. Turner, White – 5;

Nays: 0

11-35 **Jose Barragan**

Good Tequila, Inc.

d/b/a Good Tequila's Mexican Grill

5025 W. American Prairie

Requesting: Subclass 1A (2:00 a.m. closing)
Class B (restaurant, full-service bar/50% food)
Subclass 2 (live entertainment)
Subclass 3A (sidewalk café)

Felipe Rodriquez, Manager, presented an application for a Subclass 1A (2:00 a.m. closing) to be added to the Class B (restaurant, full-service bar/50% food) with a Subclass 2 (live entertainment) and Subclass 3A (sidewalk café) Liquor License at 5025 W. American Prairie.

Mr. Rodriquez, in discussion with Chairman McCabe, stated that they were seeking the 2:00 a.m. closing especially for their private parties who wanted to be able to stay longer.

In discussion with Commissioner Cassidy regarding what other establishments had 2:00 a.m. closings and the snowball effect that could happen, Liquor Investigator Jordan stated that Old Chicago was the only other 2:00 a.m. license in the area around The Shoppes.

Liquor Investigator Jordan indicated that there had been no complaints against this business as far as noise, but they had received a violation for serving liquor to an underage and he cautioned them that even at a private party, underage people could not be served or drink alcohol.

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

A motion was made by Commissioner Cassidy to recommend approval of the application for the Subclass 1A (live entertainment) license to be added to the Class B (restaurant/full-service bar/50% food) Liquor License with a Subclass 3A (sidewalk café) at 225 NE Adams; seconded by Commissioner D. Turner.

Yeas: McCabe, Cassidy, Miller, D. Turner, White – 5;

Nays: 0

Chairman McCabe explained that this application would be heard before the City Council on Tuesday, December 13, 2011 for a final determination.

11-36 Edward Childers

**d/b/a Childers Banquet & Event Center
3113 Dries Lane**

Requesting: Class K (catering)

Has: Class B (restaurant, full-service bar/50% food)

Ed Childers, owner, presented a site application to change his current Class B (restaurant, full-service bar/50% food) Liquor License to a Class K (catering) Liquor License at 3113 Dries Lane.

Chairman McCabe then distributed a letter that had been sent to the Commission from a neighbor regarding neon light signs, a copy of which is on file.

In discussion with Mr. Childers regarding the neon signs, Commissioner Cassidy said they wanted to ensure that a bunch more neon signs would not be placed in the windows if this application was approved.

In discussion with Liquor Investigator Jordan, Mr. Childers stated he was changing this location to a catering license which would allow him to go off premise and cater with a cash bar. Liquor Investigator Jordan indicated the Liquor Code prohibits a cash bar off premise, that a Class K catering license allows alcohol to be purchased in bulk and be incidental to the catered food. He explained that this prevents having traveling bars.

In discussion with Attorney Williams, Mr. Childers also questioned why he had to have another license besides changing to a catering license to be able to cater at the Gateway. Attorney Williams stated that Childers and Barracks had an exclusive contract with the Gateway and were the only two caterers allowed to cater there and this was a special contract with the Park District Gateway and had nothing to do with the liquor license he was requesting from the City.

Commissioner Cassidy further clarified that someone can hire the caterer, buy a certain amount of alcohol for the caterer to serve or they can keep track and then bill the host at the end of the night for what is served. He added that the caterer just cannot collect cash from each person who is served at the event.

In discussion with Attorney Williams, Mr. Childers further clarified that with the Class K (caterer) Liquor License, he was allowed to have a cash bar at his own establishment and that he just could not have a cash bar off premises.

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

A motion was made by Commissioner Cassidy to recommend approval of the site application for the Class K (caterer) Liquor License at 3113 Dries Lane; seconded by Commissioner White.

Yeas: McCabe, Cassidy, Miller, D. Turner, White – 5;

Nays: 0

Chairman McCabe explained that this application would be heard before the City Council on Tuesday, December 13, 2011 for a final determination.

