

**MINUTES OF THE CITY OF PEORIA  
LIQUOR COMMISSION  
March 5, 2012**

A meeting of the City of Peoria Liquor Commission was held in Room 404, City Hall, Peoria, Illinois, on March 5, 2012, Acting Chairman Drew Cassidy presiding.

**ROLL CALL:**

Present: Acting Chairman Drew Cassidy; Commissioners: Mike Miller; Virginia White – 3  
Absent: Chairman Frank McCabe - 1

Others present: Sonni Williams, Senior Staff Attorney; Dan Jones, Assistant Corporation Counsel; Liquor Investigator Scott Jordan; Fire Investigator Dan McGann; Building Inspector Jim Stevens; Kristin Cannaday-Stash, Commission Secretary, Brady Waldrop, Legal Intern and concerned citizens and media.

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

Commissioner White moved to approve the Minutes of the February 6, 2012 Liquor Commission Meeting; seconded by Commissioner Miller.

Approved by roll call vote:

Yeas: Cassidy, Miller, White – 3;

Nays: 0.

**III. LIQUOR SITE APPLICATIONS**

**12-03 FAST, Inc.**  
**d/b/a Double A's**  
**7301 N. Radnor Road**  
**Requesting: Subclass 2 (live entertainment)**  
**Has: Class B (restaurant/full-service bar/50% food)**  
**Subclass 3 (beer garden)**

Aaron Smith and Katie Smith presented an application to have a Subclass 2 (live entertainment) license added to their Class B (restaurant/full-service bar/50% food) Liquor License with a Subclass 3 (beer garden) license at 7301 N. Radnor Road.

In discussion with Acting Chairman Cassidy, Mr. Smith stated they had decided to add live entertainment to try to keep some business after the dinner hour when things really slack off. He said they thought by adding a some music, such as a guitar player or singer, they could possibly keep the people entertained so they would stay longer.

In further discussion, Mr. Smith stated they understood the restrictions with the outside beer garden and that amplified music had to stay inside.

Mr. Smith said they planned to put the entertainment on the farthest west side wall where they have their televisions hung or on the opposite wall, depending on the equipment. He stated they planned to do no architectural changes to the building.

Timothy Gorman, 3804 W. Eagle Point Drive, distributed a picture of the area behind Double A's and the Knights of Columbus building, showing the back of the homes on his street (a copy is on file in the Legal Department). He expressed concern about the possibility of noise and said they currently had an agreement with the KC Hall to keep the back door shut and usually stopping the music at 11:00 p.m. He indicated he and the other neighbors liked the restaurant and just wanted to be treated as respectfully as the Knights of Columbus Hall treated them.

Katie Smith stated she understood and any group they would have would be small and would be inside and not piped to the outside area.

Mr. Smith stated their speaker system was set up right now and whatever is playing inside does play outside in the patio area, but they know that they could not pipe live music outside. He added that if the piped music was ever a problem, just to let him know and it would be turned down.

Acting Chairman Cassidy clarified that with the limits on the Subclass 3 (beer garden) license, they understood that any outdoor live entertainment is limited to a two-person, non-amplified group.

Hearing no further questions, Acting Chairman Cassidy called for the vote.

A motion was made by Commissioner White to approve the application to have a Subclass 2 (live entertainment) license added to the Class B (restaurant/full-service bar, 50% food) Liquor License with a Subclass 3 (beer garden) license at 7301 N. Radnor Road; seconded by Commissioner Miller.

Yeas: Cassidy, Miller, White – 3;

Nays: 0

**12-04**      **Maverick Holdings**

**d/b/a Blue Bar**

**619 West Main**

**Requesting:    Class A (tavern)**

**Has:            Class B-1 (restaurant, 25% food)**

**Subclass 1A (2:00 a.m. closing)**

James McGhee and Jessica Benassi, owners, presented a site application to change their current Class B-1 (restaurant, 25% food) to a Class A (tavern) at 619 West Main Street.

In discussion with Acting Chairman Cassidy, Mr. McGhee stated the establishment had an inefficient set up to prepare food. He indicated they still planned on serving food, but wanted to be able to prepare the food ahead of time and freeze it, so on a busy Saturday night they could just have cheese bread instead of having to prepare deli sandwiches or something.

Attorney Williams clarified that when they go from a Class B-1 to a Class A, the Subclass license would stay with the Liquor License as long as the full Class allows for the Subclass licenses.

Acting Chairman Cassidy stated that the Planning Department wanted it brought to the applicants' attention that the roof-top mechanical units and the refuse areas were not screened from view on all four sides in order to conform to the Land Development Code regulations.

Attorney Williams explained that these were zoning regulations and they could contact the Planning and Zoning Department.

Jerry Gerber, 6013 Hetherwood Drive, stated he owned a CPA firm and was Treasurer of the West Main Street Redevelopment Neighborhood Association. He indicated in May of 2006 there was a meeting regarding this site also and they were requesting a Class A and then changed it to a Class B. He indicated that, at that time, the neighborhood association opposed giving any liquor license back to this site. Since then, it was opened with a Class B-1 (restaurant with 25% food) and then they added a 2:00 a.m. closing. He said now all this is coming back to a tavern. He stressed that the West Main Street Redevelopment Association does not feel it is necessary to have another tavern in the area.

Acting Chairman Cassidy stated that there had only been one incident report on this establishment in 2009 and one in 2010, with no other problems reported.

Bruce Thiemann stated he was a customer of Blue Bar as well as the attorney who helped get the liquor license re-established in this location. He said that this site used to be known as Gaslight I and then Gaslight II and was the kind of tavern the neighbors did not want and the City eventually shut it down. He indicated that it remained vacant for a couple years and then an investor reopened with a restaurant license to see if it would contribute to the neighborhood instead of detracting like Gaslight II had done. Since then, he stated that he believed the neighborhood has been happy with what Blue Bar has done and the good way it has been run. He also explained that one of the incidents referred to had been just a tardiness of filing their 25% reporting of food. He cited the *Journal Star* where it had been reported just this week that Blue Bar was one of the "cool" places in this renaissance neighborhood to draw young people to this area.

Attorney Williams clarified that the original site had been revoked because the operator was connected to the illegal sale of drugs and was pumping the illegal drug money through the bar.

Acting Chairman Cassidy clarified that if this is recommended, it will go before the City Council for their approval before a Class A License is given.

Mr. Gerber expressed concern that with a tavern license, the service of food was not required and that was one of the concessions when the liquor license was reinstated after the revocation.

Mr. McGhee stated that they would always have food, but just wanted to have something more efficient and simplified.

Hearing no further questions, Acting Chairman Cassidy called for the vote.

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A motion was made by Commissioner Miller to recommend approval of the site application to change the Class B-1 (restaurant, 25% food) to a Class A (tavern) Liquor License at 619 West Main; seconded by Commissioner White.

Yeas: Cassidy, Miller, White – 3;

Nays: 0

Acting Chairman Cassidy stated that this recommendation would be for approval because they had done a good job of running this business and it would be heard before the City Council on Tuesday, March 27, 2012, for a decision by the City Council.

**12-05**      **Ernestine Ingram**  
                 **d/b/a C-Rocks**  
                 **2305 W. Lincoln**  
                 **Requesting: Subclass 2 (live entertainment)**  
                 **Has: Class A (tavern)**

Ernestine Ingram, owner, and Connie Brown, her daughter, presented an application to add a Subclass 2 (live entertainment) license to her Class A (tavern) Liquor License at 2305 W. Lincoln.

In discussion with Ms. Brown regarding whether they had been open for the past several weeks, Acting Chairman Cassidy stated they had reports from the Police Department, Fire Department, Illinois Liquor Control Commission and the Inspections Department who have all been unable to contact her to complete inspections regarding this application.

Inspector Jim Stevens stated he had finally been able to contact them; however, the voicemail was not set up on their phone to leave messages.

Acting Chairman Cassidy stated that now, because of their lack of ability to conduct inspections in accordance with their application, the Police Chief recommends that this application be denied. However, the Chairman of the Liquor Commission recommended that the application be given a deferral until the next regular Liquor Commission Meeting so that the inspections could be completed.

Ms. Brown stated that she would choose to defer this application for a month so that the inspections could be done and confirm the correct phone number so she could be contacted.

Because there were neighbors who were present at this meeting, Acting Chairman Cassidy gave the floor to those wishing to speak.

Robin Berry, 1917 W. Howett, stated she was President of the Southside Neighborhood Association. She said that this location is like an island and is completely surrounded by single family houses. She expressed concern about the problems the neighborhood has had with the previous owners of this establishment and now with it open again, the Association felt that this was not the place for live entertainment. She indicated the Neighborhood Association was requesting that the Commission deny this request. She stated that she would bring members of the Association with her on April 2 to speak against this application.

Larese Joseph expressed concern about all the cans and bottles that were littered on the surrounding properties.

In discussion with Tommy Harris, Ms. Brown stated that the music would only be indoors, would only be karaoke and would be from 8:00 p.m. until 12 Midnight on Friday night.

Mr. Harris stated that noise had been an issue in the past because the door had been left open and music carries throughout the neighborhood.

In further discussion, Attorney Williams explained that this was a very broad class and stated that a Subclass 2 (live entertainment) license could include karaoke or could be a five-piece band if it did not violate the building codes and any other occupancy issues.

Acting Chairman Cassidy called for a motion.

A motion was made by Commissioner White to defer this application for a Subclass 2 (live entertainment) license to be added to the Class A (tavern) Liquor License at 2305 W. Lincoln until April 2; seconded by Commissioner Miller.

Yeas: Cassidy, Miller, White – 3;  
Nays: 0

Attorney Williams stated that new Notices would have to be sent out advising the public of the next public hearing on this application.

Acting Chairman Cassidy also told Ms. Brown to make sure she was reachable so the inspections could be completed.

Liquor Investigator Jordan informed the applicants that the State Liquor Investigator had stopped in during the hours they had listed they were open and they were closed. He explained that under State law, they have to be open the hours they have listed to be open on their reports and they were not.

## **V. UNFINISHED BUSINESS**

There was no unfinished business discussed at this meeting.

## **V. NEW BUSINESS**

1. Reminder regarding Open Meetings Act on-line training.

Attorney Williams reminded the Commissioners that effective January 1, 2012, members of City Commissions are required to take the Attorney General's Electronic Open Meeting Act Training by December 31, 2012. She indicated they could go to [www.illinoisattorneygeneral.gov](http://www.illinoisattorneygeneral.gov) and the site would take them through this process. She asked that after they had completed the training they should print out the Certificate of Completion and give it to the Secretary.

2. Discussion amending the Liquor Code to address (a) caterers and (b) live entertainment site application.

(a) Attorney Williams indicated there was a problem with out-of-town caterers so the Liquor Code needed to be amended. She explained that an out-of-town caterer would do a point of sale outside the City and then come into the City and cater an event without having to go through the same process as in-City caterers had to with their licenses and the tax revenue. So, she said, there are business licensees who have gone through the site application process, have paid their annual license fees and are competing with someone coming from out of town, such as Peoria Heights, who is not required to go through the process. With the assistance of the City Clerk, she indicated the Liquor Code would be amended to require any caterer who caters inside the City to meet the same requirements.

3. Additional New Business

Fire Inspector Dan McGann indicated that he would like the Code amended to require all live entertainment licenses to provide a site plan so it can be confirmed the type of live entertainment they are applying for and where in the business the entertainment will be staged so that all life and safety requirements are adhered to. In this way, he explained, they will have a drawing to refer back to if an area is expanded or changed and life and safety regulations are not met.

Attorney Williams stated that this has been an on-going problem because the Subclass for live entertainment is so broad and by requiring an indication on the site plan and the kind of specific entertainment, there will be more control about what kind of Subclass 2 has been approved.

**VI. NEXT SCHEDULED MEETING**

The next scheduled regular meeting of the Liquor Commission is Monday, April 2, 2012.

**VII. ADJOURNMENT**

Commissioner Miller moved to adjourn the meeting; seconded by Commissioner White.

Approved by viva voce vote.

The Liquor Commission Meeting adjourned at 4:10 p.m.

/s/ Kristin Cannaday-Stash  
Commission Secretary