

**MINUTES OF THE CITY OF PEORIA
LIQUOR COMMISSION
February 3, 2014**

A meeting of the City of Peoria Liquor Commission was held in Room 112, City Hall, Peoria, Illinois, on February 3, 2014, Chairman Drew Cassidy presiding, with proper notice having been posted.

ROLL CALL:

Present: Chairman Drew Cassidy; Commissioners: Mike Miller; Virginia White - 3;
Absent: Mike O'Brien - 1.

Others present: Sonni Williams, Interim Corporation Counsel; Building Inspector Jim Stevens; Liquor Investigator Scott Jordan; Stefanie Rice, Chief Deputy City Clerk; Shannon Techie, Senior Urban Planner; Kim Smith, Senior Urban Planner; and concerned citizens and media.

I. CALL TO ORDER

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 December 2, 2013, Liquor Commission Meeting, as presented; seconded by Commissioner Miller.

Approved by roll call vote:

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

III. LIQUOR SITE APPLICATIONS

Chairman Drew Cassidy read the amendment to Section 3-57, which will be read at the beginning of every Liquor Commission Meeting.

“To all applicants: The Liquor Commission is a recommending body with respect to site approval. Our function is to determine if the location of an establishment is appropriate for the class of liquor license being requested and then make a recommendation to the City Council as to whether the application should be approved or denied. The City Council makes the final decision.

To perform our function, we may have questions as to the nature of the business you intend to operate at the location. In that regard, this Commission and the City Council expects applicants to be truthful in the representations concerning the proposed establishment since those representations weigh in the determination of the site approval application. Under Section 3-57 of the Code of the City of Peoria, any misrepresentation or false statement made to either this Commission or the City Council relating to the proposed business to be operated on the proposed site can result in a denial of your liquor license; suspension and/or revocation of a license if already issued, and a fine of up to \$1,000.”

14-01 **Monical Pizza Corporation**
 d/b/a Monical's Pizza
 4408 N. Knoxville, Suite E
 Requesting: Class G (beer & wine only restaurant)

Mr. Rex Hoover, General Manager of Monical's Pizza on Knoxville, presented a Site Application for a Class G (beer and wine only restaurant) Liquor License for 4408 N. Knoxville, Suite E.

In discussion with Chairman Cassidy, Mr. Hoover said, in years past, the owner of the building had not approved of selling alcohol at this location, until recently. He said over time Monical's and the owner developed a mutual respect for one another, which eventually persuaded the owner to come into agreement with them obtaining a liquor license.

Hearing no questions, Chairman Cassidy called for the motion.

Commissioner White moved to recommend approval of the Site Application for a Class G (beer and wine only restaurant) Liquor License for 4408 N. Knoxville, Suite E; seconded by Commissioner Miller.

Approved by roll call vote.
Yeas: Cassidy, Miller, White – 3;
Nays: 0.

Chairman Cassidy stated this recommendation would be heard at the City Council Meeting to be held on Tuesday, February 11, 2014, at 6:15 p.m. and a representative of this establishment should be present at that Meeting.

14-02 **Roachman 64, Inc.**
 d/b/a Aurelio's Pizza
 3821 N. Sterling
 Requesting: Class B (restaurant, 50% food)
 Subclass 1A (2:00 a.m. hours)

Ms. Sara Roach and Mr. Brad Pierson, presented a Site Application for a Class B (restaurant, 50% food) Liquor License with a Subclass 1A (2:00 a.m. hours) for 3821 N. Sterling.

In discussion with Chairman Cassidy, Ms. Roach said she had obtained the franchise for Aurelio's Pizza at this location and also requested a site approval for Subclass 1A (2:00 a.m. hours). She said, in response to Building Inspector Jim Stevens, that a wall had been installed as requested.

Discussions were held regarding separate entrances to the bar and to the restaurant.

Ms. Roach said the restaurant would be open Monday through Thursday 11:00 a.m. to 9:00 p.m., Friday and Saturday 11:00 a.m. to 10:00 p.m., and Sunday from 11:00 a.m. to 8:00 p.m. She indicated that delivery would become available beginning March 1, 2014.

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Interim Corporation Counsel Williams commented that the restaurant needed to serve food during these hours. She said they would not be able to close the restaurant at 10:00 p.m. and keep the bar open after that time.

Chairman Cassidy said, with a Class A, the restaurant could be shut down with only the bar open; however, with a Class B, both the restaurant and the bar needed to remain open with food being served.

Interim Corporation Counsel Williams said minors would not be allowed to enter the establishment with a Class A liquor license without being accompanied by a parent or guardian.

Ms. Roach said she was in agreement with the terms of a Class B.

Senior Planner Smith said when a new establishment opened in a shopping center, the location was reviewed for code compliance. She said, upon her review, it was determined that the dumpsters at this location needed to be screened along all four sides, and that the current setup was not current to City Code. She said the City was willing to work with the owner of the shopping center to bring it up to Code.

Hearing no further questions, Chairman Cassidy called for the motion.

Commissioner White moved to recommend approval of the Site Application for a Class B (restaurant, 50% food) Liquor License with a Subclass 1A (2:00 a.m. hours) for 3821 N. Sterling; seconded by Commissioner Miller .

Approved by roll call vote.
Yeas: Cassidy, Miller, White – 3;
Nays: 0.

Chairman Cassidy stated this recommendation would be heard at the City Council Meeting to be held on Tuesday, February 11, 2014, at 6:15 p.m. and a representative of this establishment should be present at that Meeting.

14-03 Peoria Coffee Stop #1, LLC
d/b/a Peoria Coffee Stop #1
2305 W. Lincoln
Requesting: Class A (tavern)

Chairman Cassidy reported that the Site Application for a Class A (tavern) Liquor License for 2305 W. Lincoln was withdrawn by the applicant.

14-04 **Po-Boy's on Frostwood, LLC**
d/b/a Po-Boy's on Frostwood
6736 N. Frostwood Pkwy
Requesting: Class B-1 (restaurant, 25% food)
***Subclass 3 (beer garden)**

Attorney Joe VanFleet, counsel for the owner, presented a Site Application for a Class B (restaurant, 25% food) Liquor License with a Subclass 3 (beer garden) for 6736 N. Frostwood Pkwy.

Two letters of concern were distributed to the Commission. These letters primarily contained objections to the beer garden.

In discussion with Chairman Cassidy, Attorney VanFleet said the owner, Walter Zich, was unable to be present at the meeting. He said the building at this location had been vacant for approximately four years.

Chairman Cassidy expressed concerns about granting a Subclass 3 and the potential effect it could have on the nearby neighborhood. He said there had been a similar establishment that recently opened in the area with similar concerns. He said rather than granting a Subclass 3 (beer garden), the Commission granted a Subclass 3A (sidewalk café). He said he was more inclined to granting a Subclass 3A to start with the option of the owner coming back at a later date to apply for a Subclass 3.

Discussions were held regarding a Subclass 3 versus a Subclass 3A.

Attorney VanFleet said that he had his client's authority to concur with the recommendation of the Commission and wanted to proceed with the Site Application. Attorney VanFleet then confirmed and agreed to amend the application for the Subclass to a Subclass 3A (Sidewalk café).

Mr. Tim Hickey, a resident near the location, said the neighborhood association had discussed the opening of the restaurant and some concerns were expressed, but the neighborhood approved of the opening on the restaurant.

Hearing no further questions, Chairman Cassidy called for the motion.

Commissioner Miller moved to amend the Site Application for a Class B (restaurant, 25% food) Liquor License with a Subclass 3 (beer garden) to a Class B (restaurant, 25% food) Liquor License with a Subclass 3A (sidewalk café); seconded by Commissioner White.

Approved by roll call vote.
Yeas: Cassidy, Miller, White – 3;
Nays: 0.

Commissioner Miller moved to recommend approval of the amended Site Application for a Class B (restaurant, 25% food) Liquor License with a Subclass 3A (sidewalk café) for 6736 N. Frostwood Pkwy; seconded by Commissioner White.

Approved by roll call vote.

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Yeas: Cassidy, Miller, White -- 3;
Nays: 0.

Chairman Cassidy stated this recommendation would be heard at the City Council Meeting to be held on Tuesday, February 11, 2014, and a representative of this establishment should be present at that Meeting.

IV. UNFINISHED BUSINESS

There was no unfinished business to discuss.

V. NEW BUSINESS

Interim Corporation Counsel Williams announced there would be an annual meeting for liquor license holders to discuss the implementation of a Plan of Operation and the current Moratorium. She said the meeting was scheduled for February 20, 2014, at 10:30 a.m. and at 2:00 p.m. located at City Hall, Council Chambers (Room 400), 419 Fulton Street.

VI. NEXT SCHEDULED MEETING

The next scheduled regular meeting of the Liquor Commission is Monday, March 3, 2014.

VII. ADJOURNMENT

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

Approved by viva voce vote.

The Liquor Commission Meeting adjourned at 4:05 p.m.

Chief Deputy City Clerk
Commission Secretary