

**19-17**            **Rumberger Holding Group, LLC**  
**d/b/a Della's Lounge**  
**1801 SW Adams**  
**Requesting:    Class A (tavern)**  
**Subclass 2 (live entertainment)**

Tremayne Branch, Owner, and John Deckert, Attorney & Business Partner, presented a Site Application for a Class A (tavern) Liquor License with a Subclass 2 (live entertainment) at 1801 SW Adams.

In discussion with Chairman Miller, Attorney Deckert said they currently had two establishments in the City of Peoria. He stated that the proposed request was an extension of what they already did, but he said they wanted this location to have slightly more of a lounge feel. He clarified that their focus was not so much on alcohol sales and he said it would not be your typical bar. He went on to say that they had not finalized the aesthetics or the vision, but he said their overall approach would be a continuation of what they have done at their other locations. He further stated they wanted to be permitted to be open during regular liquor licensing hours until 1:00 a.m., but he said they did not anticipate being open that late.

During discussion, Chairman Miller commented about neighborhood concerns and previous issues that had occurred at the proposed site and he asked for clarification on the packet of information that was submitted. In response, Attorney Deckert explained the petition that was submitted by a neighboring business owner appeared to be inaccurate with some irregularities. He mentioned that in doing normal due diligence, they had contacted a number of individuals who had signed the petition and they were told they had not signed anything recently. He said the petition was targeting Rumberger Holding Group and he said if the petition would be given full weight he would ask that the Commission give them additional time to look more into it. He asked the Commission to take into consideration that Mr. Branch had been in business for several years, at multiple locations, without any incidents of violence. He mentioned that the Main Street location had issues under a previous tenant; however, since Mr. Branch's tenancy, he had completely turned that property around. He said Mr. Branch now had a track record for turning places around for the better. He said their goal had always been to run family-oriented businesses and he went on to say that recently, they successfully held a children's charity event for Halloween at that downtown location.

For clarification, Chairman Miller said he did not want to speak for everyone, but he said he could guarantee that the issue was more about that particular site and not against Mr. Branch as an individual. He then asked the applicants if they were familiar with Plan of Operations (P of O) and whether they would be in favor of having one to help eliminate some of the neighborhood concerns. In response, Attorney Deckert and Mr. Branch both agreed that they were familiar with the P of O and they also confirmed that they would not oppose it.

In regards to the Police Dept. comments that were submitted, Commissioner Morris asked if there were things such as security cameras and lighting that the applicant could do to address the issues. In response, Liquor Investigator Slavens stated he did not know if cameras or lighting would fix some of the problems they had at the site in the past. He went on to say that under previous ownership litter, parking on other business owner's properties and vandalism were some of the issues. Commissioner Coates suggested that a Plan of Operation could address those items mentioned by Liquor Investigator Officer Slavens.

In more discussion, Commissioner Morris commented that he welcomed the suggestion that the applicant was willing to add additional details to their plan, but he said he was concerned about voting yes, if the Police Dept. recommendation was to deny. He recommended a deferral in order to allow the applicant time to work with the Police Dept.

Attorney Deckert said he agreed that a deferral was an option. He then expressed concern for the Police Dept. basing their recommendation on the previous tenant's business model. He said the concerns that were mentioned did not apply to them. He went on to say that they had too much at stake to subject themselves to substantial liabilities. He stated he was a licensed attorney and a partner at a law firm and he said he would not open an operation that would be subject to violent incidents.

During more discussion, Mr. Branch pointed out that the petition was "stale", noting the outdated petition and he asked why it would be pertinent to his proposed establishment. Liquor Investigator Slavens commented that in regards to the petition, he said the concern was that the request for the subject property was for a tavern. He stated Mr. Branch had run a very good restaurant, with some of the best wings in town. He said his experience was that Mr. Branch had been a very good business owner with no issues noted at his other locations.

In more discussion in regards to the Police Dept. comments, Mr. Branch asked Liquor Investigator Slavens who the comments were from. Liquor Investigator Slavens clarified that the Police Dept. comments were from the Chief of Police, but he said he gathered the information in the letter. Mr. Branch pointed out that he had spoken to other officers who were in support of his request.

Pierre Serafin, Owner of UFS, said he represented many of the people listed on the petition objecting to the site approval. He said he talked to them again and most of them still felt the same way. He mentioned that the first time the petition was submitted, he said it was in regards to the request from a previous tenant. He mentioned the negative press and its impact on the reputation of the area south of MacArthur Ave. He said alcohol and late night clubs contributed to poor publicity. He said that there were already five other bars in that area, and he said he would feel more comfortable if the applicant was applying for a Class B or a Class B-1, wherein the focus would then be more on food. He mentioned the issues with previous owners at that location and he said that he and other business owners were not comfortable with approving another tavern. He said if Mr. Branch would do a restaurant at this location, he said he would embrace it in a heartbeat.

Ke Ke Odom, General Manager of Rumbergers, spoke in favor of the request. She commented that they were not planning to run a tavern or a bar, but instead, wanted to have a lounge. She said they did not want to hold wild parties or anything like that. She said they were not focused on the alcohol and she said they wanted to have a slightly different menu at this location such as flatbread pizzas and other items. She mentioned the petition that was submitted in opposition and she said she had talked to two of the individuals on the list who said they had not recently signed a petition. She said she understood Mr. Serafin's concerns, but she said there was no justification for not supporting their business because of what previous tenants had done at that location.

During more comments, Attorney Deckert stated that he understood the concerns mentioned, but he said they did not want to run a tavern. He said they wanted to provide a relaxing atmosphere for their patrons to socialize. He mentioned that the dance floor had been removed from the establishment and replaced with couches.

For clarification, Council Member Denise Moore asked when the last time the location was open and the class of liquor license. Liquor Investigator Slavens confirmed that the last establishment closed in December of 2016 and had a Class A (tavern) Liquor License, with 2:00 a.m. closing hours. In response, Mr. Branch clarified that they were not requesting extended closing hours. He said although they were permitted to close at 1:00 a.m., he said on most nights they would close at midnight.

Council Member Moore asked, based on the Police Dept. comments, whether this location could never operate as another tavern. In response, Liquor Investigator Slavens said it was not impossible, but he said in light of what had happened and the history of this location in the past, he said those issues had caused concerns with the neighboring business owners. He explained that they were looking at the site and not the business owner himself. In response, Council Member Moore said in terms of the site, she said the building does not run itself. She said it was the people who run the site who might be the problem. Liquor Investigator Slavens agreed and he said the letter from the Police Dept. did not speak to the applicant, but more about how the site had been historically operated.

Council Member Moore commented about the fact that Mr. Branch had turned previous problematic sites into great businesses. She said the Liquor Commission had approved the last request for site approval, even with the recommendation for denial from the Police Dept. After more comments, she stated she was the Council Person who represented District 1, which was the district where both Mr. Branch and Mr. Serafin had done a fantastic job running their businesses, and she said supported them both. She said at the end of the day, a building is just a building, and she then stated that it was the person who runs an establishment who made it a success.

In response to a question from Commissioner Coates in regards to their proposed menu, Mr. Branch explained that they wanted to have more of an upscale menu at this location. He said they wanted to have a full menu serving flatbread pizzas and a couple different types of wings. He reiterated that they had taken out the dance floor and mirrors and replaced them with couches and pub tables. He said, for those reasons, this establishment would not appeal to the younger crowds. He said he would not object to renting parking spaces from Mr. Serafin to help alleviate parking issues and he would ensure there was not any litter left by patrons in the parking lot.

During more comments, Liquor Investigator Slavens clarified that the Class A (tavern) Liquor License did not have any minimum food requirements.

Hearing no more comments or questions, Chairman Miller called for the motion.

After brief comments, Commissioner Morris moved to recommend denial of the Site Application for a Class A (tavern) Liquor License at 1801 SW Adams, with a Subclass 2 (live entertainment), based upon the Police Department's recommendation; seconded by Commissioner Kouri.

Motion to Deny failed by roll call vote.

Yeas: Kouri, Morris - 2;

Nays: Coates, Miller - 2;

Abstention: None.

Chairman Miller stated this recommendation would be heard at the City Council Meeting to be held on Tuesday, November 12, 2019, at 6:00 p.m. and a representative of this establishment should be present at that meeting.