



CITY OF CARBONDALE, ILLINOIS
LIQUOR ADVISORY BOARD
Thursday, August 3, 2017 - 5:30 p.m.
Civic Center, 200 S. Illinois Avenue, Room 112

The City of Carbondale's Liquor Advisory Board held a meeting on Thursday, August 3, 2017, in Room 112 of the Carbondale Civic Center, 200 South Illinois Avenue. Chair Monty called the meeting to order at 5:30 p.m. with the following-named members of the Board present/absent:

1. Roll Call

Present: John Mills, Mark Robinson (entered at 5:32 p.m.), Steve Payne, Tasis Karayiannis, David Cisco, and Donald Monty

Absent: None

A quorum was available to take action on the agenda items. City Staff present for the meeting included City Clerk Jennifer Sorrell, City Attorney Jamie Snyder, Assistant City Attorney Brandon Woudenberg, Fire Inspector Tom Manis, and Police Chief Jeff Grubbs.

2. Approval of Minutes from July 6, 2017

D. Cisco moved, J. Mills seconded, to approve the minutes of July 6, 2017. VOTE: All voted aye; motion declared carried.

3. Application for a Class D3 liquor license (senior living facility; consumption on premises only) from The Landings of Carbondale, LLC d/b/a The Landings at Reed Station Crossing at 2100 Reed Station Parkway

Autumn Doan was present to respond to Board inquiries regarding the application. She stated that there will be a two drink maximum and residents can purchase alcohol to keep and consume within their private residences.

M. Robinson moved, J. Mills seconded, to approve an application for a Class D3 liquor license from The Landings of Carbondale, LLC d/b/a The Landings at Reed Station Crossing at 2100 Reed Station Parkway. VOTE: All voted aye; motion declared carried.

4. Discussion of a Proposed Amendment to Liquor Code Sections 2-5-1 and 2-5-3 as it Relates to Standards of Conduct

City Attorney Jamie Snyder reviewed each section of the proposed liquor code amendment. An ordinance from Cape Girardeau, Missouri regarding the same issue was used as a template to create language that is applicable to the City of Carbondale. Patrons of local businesses are exiting the premises and causing problems on other private or public property. City Attorney Snyder stated that these are chronic issues and not isolated incidents which could potentially put it in the category of a chronic nuisance. This seems to be occurring more frequently and, for certain establishments, more frequently than others with a low level of cooperation. He feels that these establishments are not taking the reasonable steps to keep these acts from happening and the proposed amendment would make these businesses more responsible for the acts of their patrons even after leaving their establishment and moving on to other public/private property.

Police Chief Jeff Grubbs gave an explanation of the changes in enforcement from 2007 forward. A previous ordinance did not require responsibility for violations outside of the licensed premises. The ordinance was recently upgraded to include private property connected with the licenses premises (i.e. parking lots). Chief Grubbs stated that this proposed amendment has benefitted Cape Girardeau where they have seen great improvement since being enforced.

Board members discussed the proposed amendment and expressed concern on the following:

- Will the language used from Missouri apply to the statutes of Illinois?
- Can this type of regulation be upheld in court?
- Foreseeable trouble if it ever reaches court.
- How can we hold a business owner accountable for activity that occurs on other property that they have no authority over?
- Possibility of unequal treatment/selective enforcement.
- Enforcement difficulties.
- How does a business change its operation to avoid being penalized?
- The proposed language being too broad.

Board members agreed with the intent of the proposed amendment, but would feel more comfortable if it were cleaned up with consideration to the comments and concerns that were discussed. The amendment can be brought to the Board a second time for review before placing it on the City Council agenda for consideration.

MOTION: To direct City Staff to strengthen the language of the proposed amendment with consideration to the comments and concerns voiced by Board members and present said amendment to the Board before it is placed on the City Council agenda. D. Cisco moved, M. Robinson seconded. VOTE: All voted aye; motion declared carried.

5. Citizens' Comments

None.

6. Adjournment

Meeting adjourned at 6:55 p.m.

Next Liquor Advisory Board Meeting Date: September 7, 2017

Jennifer R. Sorrell, City Clerk

Date Approved