



CITY OF CARBONDALE, ILLINOIS
LIQUOR ADVISORY BOARD
Thursday, December 7, 2017 - 5:30 p.m.
Civic Center, 200 S. Illinois Avenue, Courtroom

The City of Carbondale's Liquor Advisory Board held a meeting on Thursday, December 7, 2017, in the former Courtroom of Carbondale City Hall, 200 South Illinois Avenue. Chair Monty called the meeting to order at 5:36 p.m. with the following-named members of the Board present/absent:

1. Roll Call

Present: John Mills, Steve Payne (ex officio), Taylor Delaney, and Donald Monty

Absent: Mark Robinson, Tasis Karayiannis, David Cisco, Henry Webber

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 (entered at 5:48 p.m.), Fire Inspector Tom Manis, Deputy Police Chief Stan Reno, and Police Records Supervisor Marcia Toliver.

2. Approval of Minutes from August 3, 2017

John Mills moved, Taylor Delaney seconded, to approve the minutes of August 3, 2017. VOTE: All voted aye; motion declared carried.

3. Application for a Class A2 liquor license (Restaurant – all alcoholic liquors) from Jewel of India, Inc. d/b/a Reema's Indian Cuisine at 607 South Illinois Avenue

Reema and Ramneesh Prabhakar was present to respond to Board inquiries.

The Board commented and inquired about the following: based on the applicants indication of the intent to offer live music, an advisement to be aware of the noise ordinance in Carbondale; noting inconsistent hours of operation in three locations where that information is provided in the application, an inquiry as to what hours the kitchen and the establishment will be open [applicant indicated that they would gauge their hours depending on the customer demand, to which the Clerk stated that their hours need to be fixed and any changes reported to the Local Liquor Control Commission]; whether there is any other officer of the corporation [No] and only one stockholder of the corporation [Yes]; intent to sell alcohol for takeout as part of food service (package sale option) [Yes]; a request to identify the dance area [located to the front of the business to the right]; in response to Question 20, a request to identify to which governmental entity the applicant had applied for licensing and the disposition [City of Carbondale; approved, but not issued]; in response to Question 28, a request for explanation about the arrangements with the Department of Revenue [payments due in three installments for past due sales taxes, to be paid in 3 years, the first of which has been paid]; a request for explanation regarding three quarters (9 months) of delinquency in remitting the food and beverage tax [they are starting one payment, had been waiting for the letter, and will pay in two weeks]; clarification about the response to the financial information question and the source of the \$60,000 [they do not currently have it; where they are moving, everything is included in the restaurant, and there is investment in their kitchen and food truck]; would the \$60,000 be invested into the new location [response unclear]; whether the \$60,000 would be used as operating funds or if there was

another source [they may try to get a loan, try to increase sales, and seek private loans from friends]; how much in back taxes is currently owed [State of Illinois \$10-12,000; City of Carbondale \$1,100]; an inquiry about the president's status [she has applied for green card, still pending; has an employment authorization card]; a remark that on the Background Operation Questionnaire, that the applicant is the corporation, not Reema; whether the menu will change [Yes]; an inquiry as to when they will relocate [by December 31]; and whether they had filed for bankruptcy [Yes, but withdrew the petition/dismissed it].

MOTION: J. Mills moved, T. Delaney seconded, to approve a Class A2 liquor license for Jewel of India, Inc. d/b/a Reema's Indian Cuisine, with a beer garden, contingent upon verification of the withdrawal of bankruptcy; sales tax owed to the City brought up-to-date; solidifying the hours of operation, and receipt of all outstanding items. VOTE: All ayes. Motion declared carried.

There was a comment about concerns about the financial viability of the business, the responsibilities for managing liquor sales, and remaining in good standing to avoid license revocation.

4. Acceptance of Police, Fire, and Building and Neighborhood Services Fourth Quarter Reports (April – June) for license year 2016-2017 and First Quarter Reports (July – September) for license year 2017-2018

Liquor Control Commission Cases

The Board inquired about the requirement for posting “no firearms” signs. City Attorney Snyder stated the signage is required and indicated the City had ordered stickers and will mail them out to establishments. He also responded to questions about stipulated orders for Traxx and Hangar 9, noting the licensees admitted to the violation and any future violations will be subject to progressive discipline. Fire Inspector Manis responded to Board inquiries about the possibility of a beergarden for Traxx, noting the safety concerns they are working to resolve with the business owner. Hangar 9 had been cited for a weekday beergarden noise violation. Stix's pending hearings are for an underage person in the establishment. The City Attorney responded to an inquiry about incidents from August, as well as the violation relating to a 13 year-old in the establishment.

Quarterly reports from the Police Department

Deputy Chief Reno responded to Board inquiries about the age listed within the report is that for the person receiving the citation and why cases involving underage patrons are cited differently. He noted that it is discretionary as to how the violations are enforced.

The City Attorney responded to an inquiry about the handling of gaming violations, which may be subject to hearings before the Local Liquor Commission, State Liquor Commission, and Illinois Gaming Board. Both Mr. Snyder and Deputy Chief Reno responded to a request for details regarding the citing for Control of Premises, what typically occurs in court with a multiple citation situation, the impact of these violations (loss of driver's license), the number of citations issued for 18 year olds in premises and the eventual progression of discipline, and discussion about the actions taken when a false ID is found.

BNS/Fire Department Reports

Fire Inspection Manis responded to inquiries about the quarterly reports; he noted that many of the establishments were required to install LED lights for the emergency lights and should not have problems next year. He responded to questions about the blocking and locking of exit doors, noting that Chango's had been cited three times for this violation. He elaborated on the number of reinspections required for Key West and Kroger; Key West had not made corrections, while Kroger's was related to a communication/management issue. During the first quarter, regular spot-checks and occupancy checks were performed. Mr. Manis noted that the disabled fire alarm warning had been corrected and that whenever a fire alarm is installed, it must be maintained at all times.

Beer Garden Complaints –

It was remarked upon that the same locations are reported time after time. The Board asked at what point does action occur? It was noted that the City does try to work with the licensee and that the Commission can take action to modify permissions for entertainment. The trend of one license holder reporting on others was noted. The Board inquired about the proposed cap on the decibel of music, and City Attorney Snyder and Deputy Chief Reno indicated that benchmarks they had received from professionals, most were within that range, but so many variables impact how far sound can travel and officers are not sound experts. Further research is being conducted on standards of conduct, which will come back at a later time.

MOTION: J. Mills moved, T. Delaney seconded, to approve and forward the reports to the Local Liquor Control Commission. VOTE: All voted aye; motion declared carried.

5. Review and accept the 2018 Liquor Advisory Board calendar

There was consensus to accept the calendar.

6. Citizens' Comments

Anne Gaylord inquired about how late beer gardens are allowed to play music and suggested that limiting those hours might be a solution. Deputy Chief Reno and City Attorney Snyder responded, noting that hours are limited to when the business is operating, and that those hours tend to be problematic for enforcement as they are busy hours for patrols and a bad time to be policing music.

7. Adjournment

Meeting adjourned at 7:06 p.m.

Jennifer R. Sorrell, City Clerk

Date Approved