

Local Liquor Control Commission Meeting June 12, 2018 (Tuesday, June 12, 2018)

Generated by Jennifer R Sorrell on Thursday, June 14, 2018

Commissioners present

Commissioner Jeff Doherty, Commissioner Tom Grant, Commissioner Carolin Harvey, Commissioner Navreet Kang, Commissioner Adam Loos, Commissioner Jessica Bradshaw, and Chairman John M Henry

Meeting called to order at 6:40 PM

This meeting was preceded by a meeting of the Carbondale City Council

7. Preliminaries to the Local Liquor Control Commission Meeting

Procedural: 7.1 **Roll Call**

Action: 7.2 **Approval of Local Liquor Control Commission Meeting Minutes from May 22, 2018**

MOTION: Approve the meeting minutes of the Local Liquor Control Commission from May 22, 2018

Motion by Tom Grant, second by Carolin Harvey.

Final Resolution: Motion Carries

Yea: Jeff Doherty, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, Jessica Bradshaw, John M Henry

8. General Business of the Local Liquor Control Commission

Action: 8.1 **Transfer of a Class A2 Liquor License (Restaurant/All Liquors) from Eateries, Inc. d/b/a S&B's Burger Joint, to Carbondale S&B Ops LLC, d/b/a S&B's Burger Joint, at 1237 East Main Street #1030**

MOTION: Approve the transfer of a Class A2 liquor license from Eateries, Inc. to Carbondale S&B Ops, LLC., d/b/a S&B's Burger Joint

Motion by Jeff Doherty, second by Carolin Harvey.

Final Resolution: Motion Carries

Yea: Jeff Doherty, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, Jessica Bradshaw, John M Henry

Action: 8.2 **Consideration of the Hearing Officer's Report and Recommendation In Re Austin Knoob d/b/a Saluki Bar/Levels 2018-03**

Commissioners asked about the applicant's history of violations.

Attorney Alfred Sanders commented on the hearing timeline and remarked on the specifics of the event. City Attorney Snyder provided additional details as to why the matter was before the

Commission.

Deborah Woods remarked on the issue of noise in neighborhoods. Susan Pimentel noted she had complained multiple times and suggested other alternatives to the letter of reprimand.

MOTION: Accept the Hearing Officer's Report and Recommendation in 2018-03.

Motion by Adam Loos, second by Carolin Harvey.

Final Resolution: Motion Carries

Yea: Jeff Doherty, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, Jessica Bradshaw, John M Henry

Action: 8.3 A Hearing on the Liquor License Renewal Application For Stix Bar, LLC R2018-01

Note from Clerk: This hearing was transcribed by a court reporter. The minutes below are a summarization of the discussion which occurred. A verbatim transcription may be obtained from the reporter or by accessing the video on the City's website.

The Hearing was called to order at 9:36 p.m.

Alfred Sanders, was present as the attorney for the Licensee, as was City Attorney Lenoard Snyder.

The attorneys presented differing arguments and responded to inquiries regarding the absence of the licensee, the responsibility of the licensee, the presence of underage patrons in the bar, over occupancy, availability of information and documents, steps taken to mitigate problems with underage patrons and over occupancy, identifying the manager of business, determining false identification cards, the staff levels at the location, the installation and usage of cameras, and the entrances/exits to the business.

Commission expressed their opinions regarding the renewal of the license, false identification, and the frequency of hearings for this establishment.

MOTION: Renew the Class B2 Liquor License for Stix Bar LLC, d/b/a Stix Bar, 517 S. Illinois Avenue

Motion by Jeff Doherty, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Jeff Doherty, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, Jessica Bradshaw, John M Henry

Hearing closed at 10:31 p.m.

Action: 8.4 A Hearing on the Liquor License Renewal Application for Bobby McBride d/b/a Hollywood Lounge R2018-02

Note from Clerk: This hearing was transcribed by a court reporter. The minutes below are a summarization of the discussion which occurred. A verbatim transcription may be obtained from the reporter or by accessing the video on the City's website.

The Hearing was called to order at 8:42 p.m.

Present before the Commission were the licensee, Bobby McBride, and City Attorney Lenoard Snyder.

The City Attorney itemized the criteria which could be grounds to deny the renewal of the liquor license. Bobby McBride presented an argument for approving the license, actions he has taken to correct certain matters, pending criminal charges filed against him, and responded to inquiries. City Attorney Snyder also responded to inquiries.

Citizens speaking on this matter included: Tony Holsey spoke on behalf the licensee; Tonya Johnson commented on the City Attorney's knowledge and in favor of the licensee.

Commission expressed their opinions regarding control of social media, unauthorized advertisement, the licensee's plans to mitigate the issues, the presumption of innocence until proven guilty, and concern about safety and security.

MOTION: Renew the Class B2 Liquor License for Bobby McBride d/b/a Hollywood Lounge at 104 West Jackson Street

Motion by Adam Loos, second by Carolin Harvey.

Final Resolution: Motion Carries

Yea: Jeff Doherty, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, Jessica Bradshaw, John M Henry

Hearing closed at 9:35 p.m.

Action: 8.5 A Hearing on the Liquor License Renewal Application for Austin Knoob d/b/a as Saluki Bar/Levels R2018-03

Note from Clerk: This hearing was transcribed by a court reporter. The minutes below are a highly-compressed summarization of the discussion which occurred. A verbatim transcription may be obtained from the reporter or by accessing the video on the City's website.

The Hearing was called to order at 6:57 p.m.

Alfred Sanders, was present as the attorney for the Licensee, as was City Attorney Lenoard Snyder.

The attorneys presented differing arguments about and responded to inquiries regarding amplified sound in beer gardens, the absence of the licensee, modifications to the beer garden, the complaints received about amplified sound, the absence of the complainants themselves, availability of information and documents, the enforcement of music from beer gardens, the

licensee's intent, documentation of complaints and interactions with the police department, and the responsibility of the licensee to their employees and the citizens of Carbondale.

Citizens speaking on this matter included: Susan Pimental spoke in favor of the motion and noted responses to comments made during the hearing.

Commission members expressed their opinions regarding the license, licensee, the appropriate action to take, their own experiences with amplified sound and complaints they have individually received about the same, the impact of the noise on employees and patrons, the intent of the licensee, decibel reading apps, and social media, the reasonableness of the actions taken, and the assertions of the attorneys. There was a question regarding Commissioner Grant casting a vote.

MOTION: Renew the Class B2 liquor license for Austin Knoob d/b/a Saluki Bar/Levels without amplified sound in the beer garden/outdoor cafe

Motion by Jeff Doherty, second by Carolin Harvey.

Final Resolution: Motion Carries

Yea: Jeff Doherty, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, Jessica Bradshaw, John M Henry

Hearing closed at 8:21 p.m.

A recess was observed between this hearing and the hearing for Hollywood Lounge.

9. Citizens' Comments for the Local Liquor Control Commission

Attorney Alfred Sanders raised an issue with Stix serving its suspension as they have filed an appeal. The Commission is unable to take any action on this matter at this time.

Commissioner Harvey asked that Ms. Woods' concern about amplified sound in residential areas be addressed.

10. Adjournment of the Local Liquor Control Commission

Procedural: 10.1 **Time of Adjournment for Local Liquor Control Commission**

The Local Liquor Control Commission adjourned at 10:35 p.m.

Jennifer R. Sorrell, City Clerk

Date