

**Local Liquor Control Commission and Regular City Council Meeting December 12, 2023
(Tuesday, December 12, 2023)**

Generated by Jennifer R Sorrell on Monday, December 18, 2023

Commissioners present

Commissioner Ginger Rye Sanders, Commissioner Jeff Doherty, Commissioner LaCaje Hill, Commissioner Clare Killman, Commissioner Adam Loos, Commissioner Nancy Maxwell (attended remotely), and Chairperson Carolin Harvey

Meeting called to order at 6:26 PM

1. Preliminaries to the Local Liquor Control Commission Meeting

Procedural: 1.1 Roll Call

Following roll call, the City Council held a vote to permit Councilmember Maxwell's remote attendance pursuant to the Illinois Open Meetings Act and the Carbondale Revised Code Section 1-2B-13.B.

MOTION: Permit Commissioner Maxwell to attend remotely

Motion: Adam Loos, Second: Jeff Doherty

Ayes: Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, and Carolin Harvey

Motion Declared Carried.

2. Citizens' Comments for the Local Liquor Control Commission

3. General Business of the Local Liquor Control Commission

Action: 3.1 Local Liquor Control Commission Meeting Minutes from October 24, 2023

MOTION: Approve the minutes from the Local Liquor Control Commission meeting of October 24, 2023

Motion by Jeff Doherty, second by Clare Killman.

Final Resolution: Motion Carries

Yea: Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Nancy Maxwell, Carolin Harvey

Action: 3.2 Application for an On-Premises Secondary - Restaurant Liquor License for Yamato Steakhouse of Japan Chen, Inc. Located at 1013 East Main Street

MOTION: Approve the issuance of an On-Premises Secondary - Restaurant Liquor License for Yamato Steakhouse of Japan Chen, Inc., contingent upon receipt of all outstanding items.

Motion by Ginger Rye Sanders, second by Adam Loos.

Final Resolution: Motion Carries

Yea: Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Nancy Maxwell, Carolin Harvey

Action: 3.3 Application for On-Premises Primary Liquor License from Stix 517, LLC d/b/a Stix

The applicant, Greg Knoob, disputed the Local Liquor Control Commission's authority and standing to consider or deny liquor licenses by State law; further, he noted that he had previously continually operated a liquor establishment until he moved out of the city and that he continues to hold liquor licenses in Ohio.

Commissioner Rye Sanders noted the applicant is a long time business operator in the city, inquired about who conducts alcohol compliance checks, stated that allowing 18 and 19 year old individuals in bars contributes to underage consumption, and asked if the City provides training to liquor license holders. There was a question about the length of time the Commission form has operated in Carbondale and the changes to the legal entry age over the years.

City Attorney responded to questions, shared history about the LLC's sole member, and remarked on the case law cited by the applicant.

MOTION: Deny the issuance of the liquor license based on one or more provisions of the Liquor Code Criteria numbers 5, 6, 8, and 9 of 2-4-5-C.

Motion by Adam Loos, second by Clare Killman.

Final Resolution: Motion Carries

Yea: Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Nancy Maxwell

Nay: Ginger Rye Sanders, Carolin Harvey

Action: 3.4 Acceptance of a Liquor Control Hearing 2023-01 IN RE Chalky's LLC d/b/a Club 13

MOTION: Accept the Hearing Officer report and the stipulation of the parties, and accept the recommendations of the Hearing Officer.

Motion by Jeff Doherty, second by Adam Loos.

Final Resolution: Motion Carries

Yea: Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Nancy Maxwell, Carolin Harvey

Action: 3.5 Renewal of Liquor Licenses for Calendar Year 2024

Commissioners commented on the frequency and length of time that there have been and are delinquent Food and Beverage taxes, noting that these businesses likely collected those taxes from their patrons, and that it is necessary to enforce the requirement that such fees are collected before liquor licenses are issued.

MOTION: Approve the addition of liquor license riders for Bombay Olive, Indigo Event Space and Lounge, and Sausea's; a change in classification for Indigo Event Space and Lounge based on revenue percentages; and a change in license classification for AMT Entertainment d/b/a Booby's from an On-Premises Primary (bar) to On-Premises Secondary - Restaurant.

Motion by Ginger Rye Sanders, second by LaCaje Hill.

Motion Carries

Yea: Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Nancy Maxwell, Carolin Harvey

MOTION: Approve the renewal of the liquor licenses following the Commission's decisions relating to changes in operations, contingent upon receipt of all outstanding items.

Motion by Clare Killman, second by Adam Loos.

Final Resolution: Motion Carries

Yea: Ginger Rye Sanders, Jeff Doherty, LaCaje Hill, Clare Killman, Adam Loos, Nancy Maxwell, Carolin Harvey

4. Adjournment of the Local Liquor Control Commission

Procedural: 4.1 **Time of Adjournment for Local Liquor Control Commission**

There being no further business to come before the City Council, the meeting was declared adjourned at 7:06 p.m.

Jennifer R. Sorrell, City Clerk

Date