



LOCAL LIQUOR CONTROL COMMISSION

April 18, 2006

The Local Liquor Control Commission held a meeting on Tuesday, April 18, 2006, in the City Council Chambers, 200 S. Illinois Avenue. Chairman Brad Cole called the meeting to order at 7:58 p.m. with the following-named members of the Commission present/absent:

1. Roll Call

Present: Commissioner Chris Wissmann, Commissioner Steven Haynes, Commissioner Lance Jack, Commissioner Sheila Simon, Commissioner Corene McDaniel, Commissioner Joel Fritzler and Chairman Brad Cole

Absent: None

Also present were City Clerk Janet M. Vaught, City Manager Jeff Doherty and members of the City's administrative staff.

2. Approval of Minutes

S. Simon moved, S. Haynes seconded, that the Commission approve the minutes of the Liquor Commission meeting held on March 7, 2006. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

3. Consideration of an application for the transfer of the Class A2 liquor license for Murphy's Bar and Grill, 501 E. Walnut Street, from Oasis Club Inc., to Spinoni's House Inc.

Applicant Gary Somers was present to answer questions. The City Clerk noted that the transfer request had been reviewed by the Liquor Advisory Board on April 6th and was unanimously recommended for approval contingent upon receipt of outstanding items. Items outstanding are: lease or deed for the property, retailer's occupation tax number, certificate of good standing or certificate of incorporation, affidavit of server training, proof of dram shop and liability insurance, copy of the health permit and approvals from the Fire Department and Building and Neighborhood Services.

S. Simon moved, S. Haynes seconded, that the Commission approve the transfer of the Class A2 liquor license for Murphy's Bar and Grill, 501 E. Walnut Street, from Oasis Club Inc., to Spinoni's House, Inc., contingent upon receipt of all outstanding items. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

4. Consideration of an application for a Class D liquor license for Royal Plaza Inc., d/b/a Royal Plaza Inn, 2400 W. Main Street

The City Clerk noted that the application had been reviewed by the Liquor Advisory Board on April 6th and was unanimously recommended for approval contingent upon receipt of outstanding items. Outstanding items include retailer's occupation tax number, certificate of incorporation or certificate of good standing, affidavit of server training, lease or deed or the property, proof of dram shop and liability insurance and approvals from the Health Department, Fire Department and Building & Neighborhood Services. In response to Commission inquiry, Applicant Srinivas Gaddam indicated that he is currently a resident of Pennsylvania but will be relocating to Carbondale.

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S. Haynes moved, S. Simon seconded, that the Commission approve the Class D liquor license for Royal Plaza Inc., d/b/a Royal Plaza Inn, 2400 W. Main Street, pending receipt of all outstanding items. VOTE: Ayes: C. Wissmann, S. Haynes, L. Jack, S. Simon, C. McDaniel, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

5. Appeal of Order in Local Liquor Control Commission Case No. 2006-02: Kathy R. Pierce, an Individual, d/b/a N.O.E. (Changes in Operation)

This hearing was recorded by a Certified Shorthand Reporter.

Chairman Brad Cole, who served as Hearing Officer in this matter, presented his Report and Order (Exhibit LC-A-4-18-06). The Local Liquor Control Commission reviewed the record of the Hearing and asked questions of Assistant City Attorney Casey Parker and Licensee Kathy R. Pierce.

C. Wissmann moved, L. Jack seconded, that the Commission accept the Hearing Officer's Report and Finding that the City proved by a preponderance of the evidence the guilt of Kathy R. Pierce d/b/a N.O.E, also known as LBJ's Steakhouse in Local Liquor Control Commission Case No. 2006-02. VOTE: C. Wissmann, L. Jack, S. Simon, C. McDaniel, J. Fritzler and B. Cole. Nays: S. Haynes. Motion declared carried.

S. Simon moved, C. McDaniel seconded, that the Commission impose a new penalty in the form of a Letter of Reprimand and costs. DISCUSSION: In response to Commission inquiry, Mayor Cole noted that the costs would be from the original hearing held on April 6 and also the hearing held this evening. The licensee indicated she had no statements in aggravation with respect to the penalty. VOTE: L. Jack, S. Simon, C. McDaniel and J. Fritzler. Nays: C. Wissmann, S. Haynes and B. Cole. Motion declared carried.

4. Adjournment

There being no further business to come before the Commission, the meeting was declared adjourned at 9:18 p.m.

Janet M. Vaught
City Clerk

Approved by the Commission on
