



LOCAL LIQUOR CONTROL COMMISSION
June 16, 2009

The Local Liquor Control Commission held a meeting on Tuesday, June 16, 2009, in City Council Chambers, Room 108 of the Civic Center, 200 S. Illinois Avenue. Chairman Brad Cole called the meeting to order at 7:00 p.m. with the following-named members of the Commission present/absent:

1. Roll Call

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

Absent: None

Also present were City Clerk Janet M. Vaught, City Manager Allen Gill and various members of the City's administrative staff.

2. Approval of Minutes

C. McDaniel moved, J. Fritzler seconded, that the Commission approve the minutes of the Liquor Control Commission meeting held on May 5, 2009. VOTE: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

3. Consideration of Application for the transfer of the Class B2 liquor license for 517 South Illinois Avenue from Knoob Enterprises, Inc., d/b/a Stix Bar & Billiards, to Stix Bar LLC d/b/a Stix

This item was recorded and transcribed by a Certified Court Reporter.

Attorney Alfred Sanders was present representing Knoob Enterprises, Inc.. Also present was applicant Robert Delre.

Chairman Cole noted that the City has been informed by the Illinois Liquor Control Commission that a hold has been placed on Knoob Enterprises state liquor licenses because of pending citations for the sale of liquor to minors. Because of the hold, the Local Liquor Control Commission cannot act on the request to transfer or renew the local liquor licenses for Knoob Enterprises until the State Commission releases the hold on the state licenses.

Attorney Sanders said his client is withdrawing his request for renewal and transfer of the liquor license for Southern Illinois Nightclub, also known as Cali's/Callahan's. He said he will be driving to Chicago following the Liquor Commission meeting where Knoob Enterprises will plead guilty and take a thirty day suspension of their license. When he returns, Knoob Enterprises will turn in to the City the license for 760 East Grand, SIN/Callahan's. Sanders said that after that time, applicant Robert Delre will then be free to make application for a new license at that location which could be heard by the Local Liquor Control Commission on July 21st.

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Sanders said they are asking that the Commission grant the renewal of the license for Stix effective July 1st and also conditionally approve the transfer of that license once the State lifts their hold on the following afternoon. Mr. Sanders then made some comments concerning the arrest figures attributed to businesses operated by Knoob Enterprises.

For clarification, Chairman Cole asked if Mr. Sanders was requesting withdrawal of Item 4 on the agenda, the transfer of the liquor license for 760 East Grand Avenue. Sanders responded yes. Chairman Cole said without objection, Item 4 would be removed from the agenda. There was no objection.

With respect to Item 3 on the agenda, the transfer of the liquor license for Stix, Chairman Cole noted that the Liquor Advisory Board had acted upon the transfer request but did not act on the renewal. He said based on the advice of Counsel, he would suggest that the Commission wait until the State Commission acts tomorrow, after which the Commission could schedule another meeting prior to the end of the license year, June 30th. He said without objection, the Commission can postpone consideration of Item 3, the renewal and transfer of the liquor license for Stix.

Commissioner Jack suggested that due to the potential sale of the business that the Commission do what it can to facilitate it. He added that he understands it is a little out of the ordinary to act before everything is in line, but the Commission does the same thing when it is approving licenses, adding that they are approved conditionally. He said he doesn't see why the Commission couldn't do the same thing now since everybody is present.

Chairman Cole invited further discussion from the Commission. There was none. He said that Commissioner Jack's statement would be noted. He said hearing no other objections, Item 3 would be postponed for a future meeting which will be scheduled after action is taken by the State Liquor Control Commission. He added this will also postpone action on the renewal of the license for Stix Bar and Billiards.

4. Consideration of Application for the transfer of the Class B2 liquor license for 760 East Grand Avenue from Knoob Enterprises, Inc., d/b/a Southern Illinois Nightclub/Callahan's to Calla Cali LLC d/b/a Callahan's/Cali's

At the request of the attorney for the current license holder, this item was removed from the agenda. (Refer to discussion under Item 3, above.)

5. Consideration of a Class A2 liquor license for Underground Grille & Pub, Inc., d/b/a Underground Pub & Grille, 717 South University Avenue

Manager of the business, Susan Karayanis, was present to answer questions. In response to Commission inquiry, Ms. Karayanis said they are changing from the Class B license which they originally requested to a Class A because, very simply, her husband applied for the Class B2 license with every intent of opening a bar. However, his health is declining and, in the meantime, Joseph Suarez, operator of the Corner Diner, approached them and suggested they do

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some kind of partnership with Suarez doing the food and the Karayanises doing the alcohol. Ms. Karayanis said they decided to go forward with this idea and it seems to be working well. She said the license they held at this location before was a Class A2 license.

The City Clerk noted the outstanding items: balance of the license fee, lease or deed for the property, retailer's occupation tax certificate, proof of dram shop and liability insurance, affidavit of server training and approvals from the Health Department, Fire Department and Building and Neighborhood Services.

S. Haynes moved, J. Fritzler seconded, that the Commission approve the Class A2 liquor license for Underground Grille & Pub, Inc., d/b/a Underground Pub and Grille, 717 South University Avenue, including the beer garden area, contingent upon receipt of all outstanding items AND the renewal of the liquor license for the 2009-2010 license year pending receipt of outstanding items. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

6. Consideration of Liquor License Renewal Applications for License Year 2009-2010

A. Stacy Hancock, an Individual, d/b/a Spotlight Bar and Grill, 227 West Main Street

The City Clerk noted that the business holds a Class A2 liquor license which requires at least 51% of the business' revenue from food and non-alcoholic drink. However, the license holder indicated in Question 11 that the business is receiving 70% of its revenue from liquor and only 30% of its revenue from food. A representative of Ms. Hancock attended the June 4th Liquor Advisory Board meeting and indicated that she thought those percentages were reversed. The representative said she would submit a letter providing the correct percentages obtained from their computer records; however, the requested letter was not received as of the time the Commission agenda item was being prepared. The Liquor Advisory Board recommended renewal of the liquor license pending receipt of outstanding items and the letter documenting the percentages of food and alcohol sales. The license holder was asked to attend this meeting.

Chairman Cole noted that the licensee is unable to attend this meeting as is required and the manager of record is also not in attendance. He stated that because of the unofficial audit information that was requested and, as noted by the clerk, that information being incomplete, he would request that the Commission postpone consideration of this application to a future meeting once the information has been received and once the license holder is able to attend. Chairman Cole asked if there was objection to that suggestion; there being no objection, it was so ordered.

B. Toomey Enterprises, Inc., Hangar 9, 511 South Illinois Avenue

City Clerk Vaught noted that the Commission had received two letters from Sally Carter, President of the Corporation, providing information concerning the status of the business. Representatives of Ms. Carter attended the June 4th Liquor Advisory Board meeting and presented a scale model of how the business is going to appear. Approval of the renewal of the liquor license would result in a 180-Day Permit for License being issued, which would "reserve"

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a Class B2 liquor license and allow Toomey Enterprises to complete construction of the building. The Liquor Advisory Board unanimously recommended renewal of the license, including the beer garden, contingent upon receipt of all outstanding items. Representatives of the license holder are present to answer questions.

Attorney Craig Reeves was present to answer questions. Also present were Nick Christopher and Joanne Steffens who are involved in the design of the new Hangar 9 and presented a model of the business. There was discussion on the location of the beer garden.

C. Wissmann moved, L. Jack seconded, that the Commission approve the renewal of the Class B2 liquor license for Toomey Enterprises, Inc., d/b/a Hangar 9, 511 South Illinois Avenue, contingent upon receipt of the license fee and approvals from Building and Neighborhood Services and the Fire Department plus approval of the final plans - including the beer garden - by the Local Liquor Control Commission at a future meeting. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

C. Knoob Enterprises, Inc., d/b/a Stix Bar & Billiards, 517 South Illinois Avenue

This item was removed from the agenda. (Refer to Item #3, discussed earlier.)

D. Knoob Enterprises, Inc., d/b/a Southern Illinois Nightclub/Callahan's, 760 East Grand Avenue

This item was removed from the agenda. (Refer to Item #3, discussed earlier.)

E. All other liquor license applications

S. Haynes moved, C. Wissmann seconded, that the Commission approve the renewal of the liquor license applications as listed on the Updated Renewal Application Summary Sheet placed on the table at this meeting contingent upon receipt of outstanding items. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler and B. Cole. Nays: None. Motion declared carried. (Exhibit LC-A-6-16-09)

7. Review of Third Quarter Reports from the Police Department, Fire Department and Building and Neighborhood Services

C. McDaniel moved, M. Pohlmann seconded, that the Commission accept the Third Quarter Reports from the Police Department, Fire Department and Building and Neighborhood Services and place them on file. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

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8. Old Business

A. Consideration of Revised Rain Date for Carbondale Main Street Art and Wine Fair in October

Meghan Cole, Director of Carbondale Main Street, was present to answer questions. M. Pohlmann moved, L. Jack seconded, that the Commission approve the change in the rain date for the October 2, 2009, Carbondale Main Street Downtown Art and Wine Fair from October 9 to October 16, 2009. VOTE: Ayes: C. McDaniel, M. Pohlmann, C. Wissmann, S. Haynes, L. Jack, J. Fritzler and B. Cole. Nays: None. Motion declared carried.

9. Adjournment

There being no further business to come before the Commission, Chairman Cole declared the meeting adjourned at 7:39 p.m.

Janet M. Vaught
City Clerk

Approved by the Commission on:

LIQUOR LICENSE RENEWAL APPLICATIONS
(Updated Tuesday, June 16, 2009, at 4:00 p.m.)

KEY TO PENDING ITEMS

Fee = Payment of license fee
Insurance = Proof of dram shop and/or liability insurance
Health = Copy of Jackson County Health certificate
ROT = Retailer's occupation tax number
CGS = Certificate of Good Standing for the corporation
Residency = Proof of residency for individual owner or partners
Mgr Stmt = Manager/Agent residing inside corporate limits
Affidavit = Affidavit of Server Training
Safety = Reinspection by Fire Department and/or Building & Neighborhood Services
Lease = Lease extending at least through June 30, 2010

CLASS A1

El Greco - fee
Italian Village
Kaya Restaurant - safety
Pagliai's Pizza
Pizza Hut - health, safety
Quatro's Pizza
Thai Taste of Carbondale - safety

CLASS A2

Applebee's - health, ROT, safety
Booby's - safety
Buffalo Wild Wings - safety
Chartwell's
El Bajio - safety
Fujiyama Restaurant - health
Garfield's
Houlihan's - safety
Hunan - safety, fee
Lone Star - health, ROT, CGS, safety
Melange
Mississippi Flyway - safety, fee
Moe's Southwest Grill - ROT, affidavit, safety, fee
Newell House - safety
Show Me's - safety
Spinoni's House - fee
Stadium Grill
Tres Hombres

CLASS B2

Cellar - safety, fee
Club Traz/Fusion - safety
Copper Dragon - fee
Gatsby's II - health, ROT, CGS, affidavit, safety
Global Gourmet
Key West
Pinch Penny Pub - fee
Pizza King - safety
Sidetrack's
Sports Blast - safety

CLASS C

ABC Liquors
Old Town Liquors - safety, fee
One Stop
Pick's Liquors
Pinch Penny Liquors - fee
Warehouse Liquors - safety
Westroads Liquors

CLASS D

Royal Plaza Inn - safety, lease

CLASS E

Eagles - safety
Elks

CLASS G

Hickory Ridge Golf Center - safety

Class H

Monte Alegre Vineyard & Cellars - safety

CONSIDERED SEPARATELY - NOT APPROVED AS PART OF THESE RENEWALS

Class A2 - Spotlight Bar & Grill - safety, fee
Class B2 - Hangar 9 - safety, fee
Class B2 - Southern Illinois Nightclub/Callahan's - insurance, health, ROT, CGS, safety, fee
Class B2 - Stix Bar & Billiards - insurance, health, ROT, CGS

DID NOT RENEW

Class A2: Mi Pueblito Mexican Restaurant
Class A3: University Teletrack

Exhibit LC-A-6-16-09 Page 2 of 2
