



LOCAL LIQUOR CONTROL COMMISSION March 5, 2013

The Local Liquor Control Commission held a meeting on Tuesday, March 5, 2013, in City Council Chambers, Room 108 of the Civic Center, 200 S. Illinois Avenue. Chairman Joel Fritzler 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 Lee M. Fronabarger, Commissioner Corene McDaniel, Commissioner Chris Wissmann, Commissioner Jane Adams, Chairman Joel Fritzler (Commissioner Donald Monty entered at 7:02 p.m.)

Absent: None

Also present were Acting City Clerk Jennifer R. Sorrell, City Manager Kevin Baity, and various members of City Staff.

2. Approval of Minutes

Commissioner Wissmann moved, Commissioner McDaniel seconded, to approve the minutes from February 8, March 1, May 17, June 21, June 28, and August 16, 2011, as well as minutes from January 29, 2013. DISCUSSION: None. VOTE: Ayes: L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, J. Adams, and J. Fritzler. Nays: None. Motion declared carried.

3. Consideration of an Application for two Class F1 Liquor Licenses for Carbondale Main Street's Downtown Art and Wine Fairs in May and September, 2013

Commissioner Adams moved, Commissioner Fronabarger seconded, to approve the issuance of two Class F1 liquor licenses for Carbondale Main Street's Downtown Art and Wine Fairs and to waive the \$100 fee for each license VOTE: Ayes: L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, J. Adams, and J. Fritzler. Nays: None. Motion declared carried.

4. Consideration of Second Quarter Reports from the Police Department, Fire Department, and Building and Neighborhood Services for License Year 2012-2013

Commissioner Wissmann moved, Commissioner McDaniel seconded, to accept the Second Quarter reports from the Police Department, Fire Department, and Building and Neighborhood Services for license year 2012-2013 and place them on file. DISCUSSION: Commissioner Monty noted that inspections which occur during the renewal process turn up numerous violations and suggested that random inspections occur throughout the year. Chairman Fritzler agreed and stated that the City Manager was considering this possibility in order to be less of a burden on inspectors and business owners alike. City Manager Baity explained how inspections are currently being handled and that the department is looking at how to staff these inspections differently. Commissioner Monty commented on improvements in the number of arrests for some licensees and concern over those with substantial increases. Chairman Fritzler remarked on the request from the Commission to the Police Department to develop a different means of inspecting. Commissioner Fronabarger questioned if licensees were required to report times of closure. The Acting City Clerk indicated they were required to do so. Commissioner Adams noted in the Liquor Advisory Board's minutes where a licensee argued for tougher penalties for underage drinkers. She asked what the penalty is for underage consumption. City Attorney Mike Kimmel replied that there are different options including community service and going to trial. Commissioner Adams asked about tracking repeat offenders. The City Attorney indicated that those found guilty would have a court record. Commissioner Adams asked about the

costs assessed and if Staff had considered increasing the fines. City Attorney Kimmel commented on the difficulty of charging underage delivery and remarked on the impact of the fines on certain violators. Commissioner Wissmann noted that higher penalties would not necessarily reduce the number of violators. Commissioner Monty asked about the current maximum fine and about the probability of a judge assessing that fine; the City Attorney Kimmel replied. VOTE: Ayes: L. Fronabarger, C. McDaniel, C. Wissmann, D. Monty, J. Adams, and J. Fritzler. Nays: None. Motion declared carried.

5. Discussion with Licensee Regarding Number of Underage Arrests

A representative from Sidetracks was not present. Commissioner Monty asked if there was a way to require them to appear or if this could be addressed during liquor license renewals. City Attorney Kimmel indicated that the Commission could consider it during renewals, but was unsure about suspending or revoking the liquor license for failure to appear. He indicated he could look into that issue. Chairman Fritzler agreed and asked the City Manager to contact the licensee.

6. Adjournment

There being no further business to come before the Local Liquor Control Commission, Chairman Fritzler declared the meeting adjourned at 7:23 p.m.

Approved by the Commission:

Jennifer R. Sorrell, Acting City Clerk