



## LOCAL LIQUOR CONTROL COMMISSION August 27, 2013

The Local Liquor Control Commission held a meeting on Tuesday, August 27, 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 Donald Monty, Commissioner Jane Adams, Commissioner Lee Fronabarger, Commissioner Jessica Bradshaw, Commissioner Carolin Harvey, and Chairman Joel Fritzler

Absent: None

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

### 2. Approval of Minutes

Commissioner Bradshaw moved, Commissioner Adams seconded, to approve the minutes from August 6, 2013. DISCUSSION: None. VOTE: Ayes: D. Monty, J. Adams, L. Fronabarger, J. Bradshaw, C. Harvey, and J. Fritzler. Nays: None. Motion declared carried.

### 3. Consideration of a request to reclassify an existing liquor license from Class A1 to Class A2 for Bridges Italian Village, Inc., d/b/a Italian Village, at 405 South Washington Street

Commissioner Monty moved, Commissioner Fronabarger seconded, to approve the reclassification of Bridges Italian Village's liquor license from Class A1 to Class A2, pending receipt of the difference in license fee. DISCUSSION: None. VOTE: Ayes: D. Monty, J. Adams, L. Fronabarger, J. Bradshaw, C. Harvey, and J. Fritzler. Nays: None. Motion declared carried.

### 4. Consideration of an application for a Class A2 liquor license from Curbside Corporation, d/b/a Curbside, at 227 West Main Street

Commissioner Harvey moved, Commissioner Monty seconded, to approve the issuance of a Class A2 liquor license to Curbside Corporation, d/b/a Curbside, at 227 West Main Street. DISCUSSION: Commission questions and concerns addressed by the applicants pertained to hours of operation for the kitchen, hours of operation during a special event, prior experience with restaurant operations and with previous businesses at that location, providing for customer parking, an approximation of the ratio of food to alcohol sales, the financial resources available to the applicant in operating the business other than what was indicated on the application, the variety of dishes on the menu, the process of collecting customers from City lots to drop off at the business, and the anticipated opening date of the restaurant.

The applicants, Martha Faye Ikner and La Shon Hardy, detailed the remodeling of the facility, their plans for the menu, atmosphere, entertainment, and customer service. Ms. Ikner noted her husband's prior association with the location was in the capacity of a consultant.

VOTE: Ayes: D. Monty, L. Fronabarger, J. Bradshaw, C. Harvey, and J. Fritzler. Nays: J. Adams. Motion declared carried.

**5. Consideration of an application for a Class A1 liquor license from Sen Fuy’s Inc., d/b/a New Kahala Fast Foods, at 606 South Illinois Avenue**

Commissioner Harvey moved, Commissioner Adams seconded, to approve the issuance of a Class A1 liquor license to Sen Fuy’s Inc., d/b/a New Kahala Fast Foods. DISCUSSION: William Lo was present to answer questions from the Commission. Commissioner Monty asked about the hours of operation for the kitchen and business. VOTE: Ayes: C. Harvey, D. Monty, J. Adams, L. Fronabarger, J. Bradshaw, and J. Fritzler. Nays: None. Motion declared carried.

**6. Review of Fourth Quarter Reports**

Commissioner Harvey moved, Commissioner Bradshaw seconded, to accept and file the fourth quarter reports for license year 2012-2013.

DISCUSSION: Commissioner Monty remarked on the decrease in violations for two establishments who historically have higher numbers, but expressed concern at the increase of violations for Sidetracks. He then remarked on the need for inspections on a monthly basis to check for violations such as faulty emergency lights and exit signs. Chairman Fritzler asked about the possibility of training other firefighters to assist in conducting inspections. Commissioner Bradshaw remarked on the safety concerns of locked and blocked exits. Fire Chief Michalesko responded to these concerns and questions. Commissioner Harvey commended the establishments who had zero violations.

Robert Delre, owner of Stix Bar and Billiards and Cali’s/Saluki Bar, was present to address the concerns noted by the Commission reviewing the third quarter reports at the previous meeting. Mr. Delre noted that the bartender responsible for delivery of alcohol to a minor was terminated and that another charge was being appealed. He also responded to Commissioner Adams’ concerns about having a blocked exit, indicating that his staff may have placed refuse in the path of the door. Mr. Delre responded to Chairman Fritzler regarding the difference in violations for Stix and Cali’s/Saluki Bar, noting that it is due in part to which location has the higher number of customers and the presence of officers in response to the higher number of customers. Commissioner Bradshaw asked about the method for addressing over-occupancy. Commissioner Monty noted that once a location has a pattern of violations, it is expected that the police will check more frequently, and that it becomes the applicant’s responsibility to address those violations to bring the numbers down.

VOTE: Ayes: D. Monty, J. Adams, L. Fronabarger, J. Bradshaw, C. Harvey, and J. Fritzler. Nays: None. Motion declared carried.

**7. Consideration of an application for a Class F1 liquor license for Carbondale Main Street for “Welcomefest” on September 14, 2013**

Commissioner Adams moved, Commissioner Fronabarger seconded, to approve the issuance of a Class F1 liquor license for Carbondale Main Street’s Welcomefest on September 14, 2013. AMENDMENT: J. Adams moved, J. Bradshaw seconded, to waive the license fee for Carbondale Main Street. Commissioner Monty asked about the receipt of a request from the applicant and Commissioner Adams asked about the method for waiving the fee. The City Clerk responded. Commissioner Fronabarger asked if the fee could be refunded in response to the waiver. Sally Carter of Hangar 9 noted that Meghan Cole, Director of Carbondale Main Street, was not in town to address the Commission. Shannon Ranzini, as the representative for Carbondale Main Street, verbally requested the waiver or refunding of the \$100 fee. Commissioner Monty asked what the City Code requires for the waiver. City Attorney Kimmel indicated that he was not aware of a requirement that the request be in writing. VOTE ON AMENDMENT: Ayes: C. Harvey, D. Monty, J. Adams, L. Fronabarger, J. Bradshaw, and J. Fritzler. Nays: None. VOTE ON AMENDMENT DECLARED CARRIED. VOTE ON ORIGINAL MOTION AS AMENDED: Ayes: D. Monty, J. Adams, L. Fronabarger, J. Bradshaw, C. Harvey, and J. Fritzler. Nays: None. Motion declared carried.

**8. Adjournment**

There being no further business to come before the Local Liquor Control Commission, Chairman Fritzler declared the meeting adjourned at 8:07 p.m.

Approved by the Commission:

\_\_\_\_\_

\_\_\_\_\_  
Jennifer R. Sorrell, City Clerk