

**Local Liquor Control Commission October 11, 2016  
(Tuesday, October 11, 2016)**

*Generated by Clinette C. Hayes on Wednesday, October 12, 2016*

*Meeting called to order at 7:00 PM*

**1. Preliminaries to the Local Liquor Control Commission Meeting**

**Procedural: 1.1 Roll Call**

**Members present**

Commissioner Jessica Bradshaw, Commissioner Lee Fronabarger, Commissioner Tom Grant, Commissioner Carolin Harvey, Commissioner Navreet Kang, Commissioner Adam Loos, Chairman John M. Henry

**2. General Business of the Local Liquor Control Commission**

**Action: 2.1 Approval of Local Liquor Control Commission Meeting Minutes**

MOTION: Approve the minutes of the September 20, 2016, Local Liquor Control Commission meeting.

Motion by Navreet Kang, second by Jessica Bradshaw.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Lee Fronabarger, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, John M Henry

**Action: 2.2 Consideration of Changes in Operation for S&B's Burger Joint in accordance with Carbondale Revised Code 2-4-17**

The Commissioners asked the location of the video gaming machines in the establishment. Susan Schmitt of S&B's Burger Joint indicated that there is a half wall built to the left of the mall entrance of the restaurant where the machines will be located.

MOTION: Approve the addition of video gaming terminals as a change in the operation of S&B's Burger Joint at 1237 East Main Street.

Motion by Lee Fronabarger, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Lee Fronabarger, Tom Grant, Carolin Harvey, Navreet Kang, Adam Loos, John M Henry

**Action: 2.3 Application to transfer a Class B2 license (On premises consumption – all alcoholic liquors) from Shaun Kocel, an individual, d/b/a Shaun's Place, to GLH Capital Enterprise, Inc. d/b/a Birger's Pub at 201 East Main Street #1-B**

John Schneider, attorney from Johnson, Schneider & Ferrell in Cape Girardeau, Missouri, was present to address questions from the Commission on behalf of the applicant. Questions and comments from the Commission included the number of terminals being requested, whether a B2 classification is the best fit for this establishment, the ability of the applicant to meet the requirement of 51% non-gaming revenue with its current layout and capacity, changing the layout to increase capacity, reporting the day-to-day revenue sales, and how video gaming revenue is monitored.

Also present on behalf of the applicant was Mr. Richard Brizendine to address any additional questions, comments, or concerns from the Commission.

MOTION: Approve the transfer of the B2 liquor license from Shaun Kocel d/b/a Shaun's Place to GLH Capital Enterprise, Inc. d/b/a Birger's Pub, contingent upon receipt of all outstanding items and with the limitation of having no more than three video gaming terminals.

Mr. Schneider wanted to clarify that the state allows for a facility to have five video gaming machines and that at any time the applicant can come before the Commission to request additional machines.

It was asked if the applicant can legally have five gaming machines then why limit the applicant to three terminals. Capping the video gaming terminals to three could ensure that the applicant will generate less than 51% of non-gaming revenue as required.

Motion by Adam Loos, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Jessica Bradshaw, Lee Fronabarger, Tom Grant, Adam Loos, John M Henry

Nay: Carolin Harvey, Navreet Kang

### **3. Citizens' Comments for the Local Liquor Control Commission**

Discussion: 3.1 Public comments and questions relating to liquor matters

None

### **4. Adjournment of the Local Liquor Control Commission**

Procedural: 4.1 Time of Adjournment for Local Liquor Control Commission

The Local Liquor Control Commission adjourned at 7:33 p.m.

Submitted by:

Approved:

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Clinette C. Hayes, Deputy City Clerk