

**MINUTES OF THE ZION LIQUOR CONTROL COMMISSION HELD ON MONDAY, JUNE 9, 2015 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, ZION, ILLINOIS**

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Chairman Hill called the meeting to order.

On call of the roll the following answered present: Commissioners, Thorn, McNabb, Winfrey and Chairman Hill. Attorney Randall was also present.

Chairman Hill stated the City of Zion will be offering a BASSETT training class at City Hall. The class will be held in July based on participation. Anyone interested can contact Deputy Clerk Spooner.

**APPROVAL OF MINUTES**

It was moved by Commissioner Thorn, seconded by Commissioner McNabb to approve the minutes of the Zion Liquor Control Commission held on June 4, 2014 at 3:30 p.m. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye and Chairman Hill, pass. Motion carried.

**PIGGLY WIGGLY SUPERMARKET**

A request was received for renewal of the Retail Liquor Dealer's License for Piggly Wiggly Supermarket, 3341 Sheridan Road. This is for a Class C License with a renewal fee of \$3,500. All requirements have been met.

It was moved by Commissioner McNabb, seconded by Commissioner Winfrey to approve the renewal of Piggly Wiggly Supermarket's Class C Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**JEWEL FOOD STORE**

A request was received for renewal of the Retail Liquor Dealer's License for Jewel Food Store, 1400 21<sup>st</sup> Street. This is for a Class C License with a renewal fee of \$3,500. All requirements have been met.

It was moved by Commissioner Winfrey, seconded by Commissioner Thorn to approve the renewal of Jewel Food Store's Class C Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016. The vote on roll call was: The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**WAL-MART**

A request was received for renewal of the Retail Liquor Dealer's License for Wal-Mart Supercenter, 4000 Route 173. This is for a Class C License with a renewal fee of \$3,500. All requirements have been met.

It was moved by Commissioner McNabb, seconded by Commissioner Thorn to approve the renewal of Wal-Mart Supercenter's Class C Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**ALDI FOOD STORE**

A request was received for renewal of the Retail Liquor Dealer's License for Aldi Food Store, 2861 Sheridan Road. This is for a Class H License with a renewal fee of \$3,500. All requirements have been met.

It was moved by Commissioner Winfrey, seconded by Commissioner Thorn to approve the renewal of Aldi Food Store's Class H Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**CVS PHARMACY**

A request was received for renewal of the Retail Liquor Dealer's License for CVS Pharmacy, 4580 Route 173. This is for a Class H License with a renewal fee of \$3,500. All requirements have been met.

It was moved by Commissioner Thorn, seconded by Commissioner McNabb to approve the renewal of CVS Pharmacy's Class H Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016. The vote on roll call was Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**WALGREENS**

A request was received for renewal of the Retail Liquor Dealer's License for Walgreens, 2100 Sheridan Road. This is for a Class H License with a renewal fee of \$3,500. All requirements have been met.

It was moved by Commissioner Winfrey, seconded by Commissioner McNabb to approve the renewal of Walgreens' Class H Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**EL LAGO RESTAURANT**

A request was received for renewal of the Retail Liquor Dealer's License for El Lago Restaurant, 2216 Sheridan Road. This is for a Class A License with a renewal fee of \$2,000. All requirements have been met.

It was moved by Commissioner McNabb, seconded by Commissioner Thorn to approve the renewal of El Lago Restaurant's Class A Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**EL AZTECA RESTAURANT**

A request was received for renewal of the Retail Liquor Dealer's License for El Azteca Restaurant, 4200 Route 173, Unit 10. This is for a Class A License with a renewal fee of \$2,000. All requirements have been met.

It was moved by Commissioner Thorn, seconded by Commissioner McNabb to approve the renewal of El Azteca Restaurant's Class A Retail Liquor Dealer's License effective

July 1, 2015 through June 30, 2016. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**APPLEBEE'S NEIGHBORHOOD GRILL & BAR**

A request was received for renewal of the Retail Liquor Dealer's License for Applebee's Neighborhood Grill & Bar, 2015 Sheridan Road. This is for a Class A License with a renewal fee of \$2,000. All requirements have been met.

It was moved by Commissioner McNabb, seconded by Commissioner Thorn to approve the renewal of Applebee's Neighborhood Grill & Bar's Class A Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**NORTHPOINTE INN-FRITZ'S CORNER**

A request was received for renewal of the Retail Liquor Dealer's License NorthPointe Inn-Fritz's Corner, 1670 Green Bay Road. This is for a Class X License with a renewal fee of \$2,000. All requirements have been met.

It was moved by Commissioner McNabb, seconded by Commissioner Thorn to approve the renewal of NorthPointe Inn-Fritz's Corner Class X Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**PIT STOP**

A request was received for renewal of the Retail Liquor Dealer's License Pit Stop, 1907 Sheridan Road. This is for a Class Y License with a renewal fee of \$2,000. All requirements have been met.

It was moved by Commissioner Thorn, seconded by Commissioner McNabb to approve the renewal of Pit Stop's Class Y Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**TAQUERIA LOS NARANJOS**

A Retail Liquor Dealer's License Application was received from Taqueria Los Naranjos, 2109 Lewis Avenue. The application is for a Class A License with a renewal fee of \$2,000. Deputy Clerk Spooner stated the renewal fee of \$2,000 was not received. She stated the current license does not expire until June 30, 2015 and the restaurant has until then to get the payment in to the City Clerk's office.

It was moved by Commissioner Thorn, seconded by Commissioner McNab to approve the renewal of Taqueria Los Naranjos Class A Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016 contingent on payment of the renewal fee before June 30, 2015. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

### **THE INN AT MARKET SQUARE**

A request was received for renewal of the Retail Liquor Dealer's License for The Inn at Market Square, 2723 Sheridan Road. This is for a Class B License with a renewal fee of \$2,000. Chairman Hill stated he would like to address some issues with the Market Square Liquor Licenses that have been brought to his attention. He stated he is not sure if what he has been told is true, but would like clarification on a few things. Chairman Hill asked if a representative from Market Square was available to answer questions. Delaine Rogers, General Manager, for the Inn at Market Square approached the Liquor Commission. Chairman Hill asked if liquor was being served at Callie's, the restaurant inside Market Square. Ms. Rogers stated it was not true liquor was not being served at Callie's restaurant. Chairman Hill asked if Callie's had a full service kitchen. Ms. Rogers stated yes, the restaurant does have a full service kitchen. Chairman Hill stated it is currently being advertised on the Market Square website that Beer & Wine is available in Callie's restaurant. Chairman Hill stated that neither the Class B, nor the Class F license qualifies Callie's restaurant to serve liquor. He stated according to the drawing provided by Ms. Rogers, there are only 40 seats, 6 of them being seasonal. He stated the required amount of seating for the B license is 50 seats. Chairman Hill asked if liquor was being sold from behind the front desk. He stated front desk sales are not permitted under either license. Ms. Rogers explained that guests can purchase liquor from the front desk and bring it back to their rooms or take it out on the patio or other areas of the hotel to relax. Ms. Rogers stated the hotel offers events for their guests. Chairman Hill stated per the parameters of the B license, the only items pertaining to the Hotel is for room service and in meeting rooms, dining rooms, patios and reception rooms, but only during scheduled meetings and receptions. He stated the definition of room service is a guest calling down to the front desk to order something and a hotel employee would bring it up to their room. Ms. Rogers stated liquor sales would be acceptable in a lounge if one existed per the Class F license. Rick Delisle, owner of the Inn at Market Square stated the second license for the Hotel is for Banquets. He stated the primary business of the Inn at Market Square is a Hotel, not Banquets. He stated they were told by the Illinois State Liquor Commission that it was not necessary to carry two separate liquor licenses. Commissioner Thorn asked if the primary business of the Hotel is not a Banquet Hall would the intention be to stop doing banquets and catering. Mr. Delisle stated the Class B license covers the serving of liquor in meeting rooms, dining rooms, and reception rooms. He stated he feels there is only a need for one license. He stated all the business is done under one entity, the Hotel. Commissioner Thorn stated two separate licenses are necessary. She stated neither license covers all activities of the Hotel under one license Attorney Randall asked Ms. Rogers what the Class B license is being used for. She stated the Class B should only be used for room service and in meeting and reception rooms, but only during scheduled meetings or receptions. Attorney Randall stated the Class B license does not allow for sales from the front desk of the Hotel. Ms. Rogers stated people often want to get a beer or glass of wine for drinking on the premises and bring it up to the second floor and relax. Attorney Randall stated that description is outside the parameters of the Class B license. Ms. Rogers asked about a lounge. She stated she would create a lounge in lobby if necessary. Chairman Hill questioned Ms. Rogers about the Class F license. He stated per the Class F description: No such license may be granted to or retained by any establishment in which the facilities for food preparation and/or service are not that primarily those of a banquet hall. Banquet facilities shall consist of a business for which the exclusive activity is the catering of private parties where there is service for consumption at tables of a full multiple course meal or hors d'oeuvre, buffet or smorgasbord, and at which alcoholic liquor may be served or sold incident to such food service. He stated the Class B license may be used to serve liquor in the meeting room it is being held and that room only. He stated the two licenses are not interchangeable. He stated it is clear that the Class F license can only be used to serve liquor in the Banquet facility if there is a scheduled banquet or private party where a full course meal is served. He stated as for the Class B license, it is only to be used to serve liquor as part of room

service. Commissioner Thorn stated that when she stays at a hotel, she does not check in at the bar, nor can she get a drink at the front desk. Ms. Rogers stated the liquor is stored behind the front desk for those who want room service or those who want to relax with a drink. She stated they have a unique situation at the hotel trying to accommodate cancer patients and their guests. Chairman Hill questioned Ms. Rogers on the liquor sales from the bar inside the Banquet facility. He reminded Ms. Rogers that liquor sales from inside the Banquet facility are limited to scheduled private events or banquets that occur in that specific facility. He stated the website for Market Square states beer and wine is available at the front desk. Chairman Hill stated no liquor sales are permitted during the Hotel's nightly activities. He also stated liquor cannot be served in Callie's Restaurant as the seating does not meet the parameters of the Class B license. Commissioner Thorn stated one of the reasons behind requiring the 50 seat minimum was the assurance that restaurants would not become bars. Attorney Randall stated per the information on the Market Square website, the Hotel offers free wine tasting. Attorney Randall stated currently there is only one Retail Liquor Class that applies to wine tasting and the Hotel would not qualify for this license as it has very specific parameters. Ms. Rogers stated the Hotel no longer offers wine tastings. Attorney Randall stated all information pertaining to wine tastings, the sale of liquor at events and liquor available at Callie's restaurant needs to be removed from the website. Ms. Rogers agreed to remove the information. Chairman Hill asked Ms. Rogers if her staff was BASSETT trained. Ms. Rogers stated the current staff was certified. She stated she will be hiring new employees that will need to get their certification. She stated she would be interested in the City sponsored BASSETT training class. Chairman Hill stated Ms. Rogers must be sure to stay within the parameters of the two liquor license that have been issued to the Inn at Market Square. Commissioner Winfrey stated she wanted to be sure she was clear on the parameters of the Class B license. She stated the Class B license can be used for room service and in meeting rooms during scheduled meetings only. Attorney Randall confirmed Commissioner Winfrey's statement.

It was moved by Commissioner Thorn, seconded by Commissioner McNabb to approve the renewal of The Inn at Market Square Class B Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

#### **THE INN AT MARKET SQUARE**

A request was received for renewal of the Retail Liquor Dealer's License for The Inn at Market Square, 2723 Sheridan Road. This is for a Class F License with a renewal fee of \$2,000.

It was moved by Commissioner Winfrey, seconded by Commissioner McNabb to approve the renewal of The Inn at Market Square Class F Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

#### **ZION PARK DISTRICT/SHEPHERD'S CROOK GOLF COURSE**

A request was received for renewal of the Retail Liquor Dealer's License for Zion's Park District's Shepherd's Crook Golf Course. This is for a Class E License with no fee requirement.

It was moved by Commissioner McNabb, seconded by Commissioner Thorn to approve the renewal of Zion Park District's Shepherd's Crook Golf Course Class E Retail Liquor Dealer's License effective July 1, 2015 through June 30, 2016 with no fee required. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**ORDINANCE AMENDMENT REQUEST/CLASS F LICENSE**

Chairman Hill stated a request has been received to consider an additional Class F Retail Liquor for the retail sales of liquor in banquet facilities. The addition of this license would increase the number of Class F Retail Liquor Licenses from one (1) to two (2). An additional license would have to be added by Council action. Once approved by the City Council, an application would be submitted and the Liquor Control Commission would again be convened to consider approval of the available Class F license.

It was moved by Commissioner Thorn, seconded by Commissioner Winfrey to recommend that the City Council amend the Liquor Control Ordinance, Section 56-58, creating an additional Class F license. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**ORDINANCE AMENDMENT REQUESTS**

The Commission considered requests to the Liquor Control Ordinance.

**Sec. 56-52.** (c) (2) Application generally.

- (c) Applications for a retail liquor dealer's license shall be made to the local liquor control commissioner, in writing, signed by the applicant, verified by oath or affidavit, and shall contain the following statements and information:
  
- (2) The name and address of the applicants business, **including a copy of the current City of Zion business license issued to said business**

It was moved by Commissioner Thorn, seconded by Commissioner McNabb to amend Sec. 56-52 (c) (2) of the Liquor Control Ordinance. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**Sec. 56-53.** Persons ineligible to be licensed

No retail liquor dealer's license shall be issued to:

- (21) **A person who is legally indebted to the City for payment of other fees, charges, bills, or taxes which have remained unpaid for more than sixty (60) days.**

It was moved by Commissioner Thorn, seconded by Commissioner Winfrey to amend Sec. 56-53 of the Liquor Control Ordinance. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**Sec. 56-58.** Limitation on number of licenses issued.

*Class Number of Licenses*

A ....~~5~~ 4

C ....~~4~~ 3

F ....~~1~~ 2

S ....~~1~~ 0

W ....~~1~~ 0

It was moved by Commissioner McNabb, seconded by Commissioner Thorn to amend Sec. 56-98 of the Liquor Control Ordinance. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried

**Sec. 56-95.** - Hours of business; generally

- (a) The sale of alcoholic liquor shall be permitted by licensee only during the hours specified below for their respective classes, as follows:

**Class E: New Hours: 7:00 a.m. – 1:00 a.m.**

**Class S: Deleted in its entirety**

**Class X: Hours added:** Sunday thru Thursday 11:00 a.m. - 1:00 a.m.  
Friday and Saturday 11:00 a.m. - 2:00 a.m.

It was moved by Commissioner Thorn, seconded by Commissioner McNabb to amend Sec. 56-95 of the Liquor Control Ordinance. The vote on roll call was: Commissioners Thorn, aye; McNabb, aye; Winfrey, aye; and Chairman Hill, aye. Motion carried.

**LIQUOR CONTROL COMMISSION MEETING**

The Liquor Control Commission agreed to conduct a meeting on June 25, 2015 at 5:00 p.m.

**ADJOURN**

There being no further business to come before the Council at this time, it was moved by Commissioner McNabb, seconded by Commissioner Thorn and unanimously approved the meeting be adjourned at 6:55 p.m. Motion carried.

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Recording Secretary