

Local Liquor Control Commission Meeting (Tuesday, November 24, 2020)

Generated by Clinette C Hayes on Wednesday, November 25, 2020

Commissioners present

Commissioner Lee Fronabarger, Commissioner Tom Grant, Commissioner Adam Loos, Commissioner Jessica Bradshaw, Commissioner Jeff Doherty, and Chair Pro Tem Carolin Harvey

Commissioners absent

Chairman John M. Henry

Meeting called to order at 6:03 PM

1. Preliminaries to the Local Liquor Control Commission Meeting

1.1 Roll Call

2. General Business of the Local Liquor Control Commission

2.1 Local Liquor Control Commission Meeting Minutes from October 27, 2020

MOTION: Approve the Local Liquor Control Commission Meeting Minutes from October 27, 2020

Motion by Jeff Doherty, second by Lee Fronabarger.

Final Resolution: Motion Carries

Yea: Lee Fronabarger, Tom Grant, Carolin Harvey, Adam Loos, Jessica Bradshaw, Jeff Doherty

2.2 Consideration of the Carbondale Liquor Control Commission Hearing Officer's Report and Recommendation as it relates to Liquor License Citations for Serving Alcohol to Underage Patrons for Hangar 9, Traxx, and Key West

It was noted that the background information on the agenda item for Key West and Traxx were flipped around. Key West has the \$700 fine and a \$300 hearing fee while Traxx has the \$2,200 fine, a \$300.00 hearing fee, and a one week suspension.

A few of the offenses were cited in early and late 2019. It was asked why so much time has passed for these offenses to come before the Commission. It was stated that there was movement among City Staff that may have caused these citations to have delayed action.

Lastly, it was asked who determines when Traxx will serve their one-week suspension. Traxx will be allowed to choose when their suspension will begin and end.

MOTION: Approve the Carbondale Liquor Control Commission Hearing Officer's Report and Recommendation as it relates to Hangar 9, Traxx, and Key West for Serving Patrons Under 21.

Motion by Jeff Doherty, second by Adam Loos.

Final Resolution: Motion Carries

Yea: Lee Fronabarger, Tom Grant, Carolin Harvey, Adam Loos, Jessica Bradshaw, Jeff Doherty

2.3 Consideration of the Carbondale Liquor Control Commission Hearing Officer's Report and Recommendation in 2020-10 as it Relates to Saluki Bar/Levels Violating the Mayor's Executive Order 2020-04

Note from Clerk: This item consisted of approximately forty minutes of discussion; the full verbatim audio is available through the City of Carbondale's website. The following minutes are a brief summary of the action taken during this agenda item.

Attorney Alfred Sanders was present to represent Saluki Bar/Levels and City Attorney Jamie Snyder and Assistant City Attorney Analisa Parker was present to represent the City of Carbondale.

Attorney Sanders expressed his concern with certain aspects of the Hearing Officer's report. He also questioned the validity of the Mayor's executive orders and the extent of his emergency powers. Attorney Sanders shared his perspective to the Commission and Assistant City Attorney Parker responded to his comments.

Clarification was needed on the basis of the violations and/or revocations of Saluki Bar / Levels and those that are currently being appealed to the State Liquor Commission. It was asked the length of time that the appeals process takes to complete. Assistant City Attorney Parker as well as City Attorney Snyder gave responses to the Commission for their clarification. Attorney Sanders offered his insight to the inquiries given by the Commission and gave additional comments to the responses given by City Attorney Staff.

MOTION: Accept the Carbondale Liquor Control Commission's Hearing Officer's Report

Motion by Jeff Doherty, second by Adam Loos.

Final Resolution: Motion Carries

Yea: Lee Fronabarger, Tom Grant, Carolin Harvey, Adam Loos, Jessica Bradshaw, Jeff Doherty

Questions and comments from Commission included clarification on the recommended suspension and fine, the direction that should be taken if the recommendation is modified to revoke, will the fine still be imposed if license is revoked, and concerns about the process.

MOTION: Accept the Carbondale Liquor Control Commission's Hearing Officer's Recommendation with the Modification to Revoke the Liquor License for Saluki Bar/Levels

Motion by Adam Loos, second by Tom Grant.

Final Resolution: Motion Carries

Yea: Lee Fronabarger, Tom Grant, Carolin Harvey, Adam Loos, Jessica Bradshaw

Nay: Jeff Doherty

2.4 Consideration of the Carbondale Liquor Control Commission's Hearing Officer's Report and Recommendation as it relates to Tres Hombres Citation for Staying Open Past 10:00 p.m. on June 4, 2020, Violating the Mayor's Executive Order 2020-04

MOTION: Accept the Hearing Officer's Report and Recommendation and issue a letter of reprimand.

Motion by Adam Loos, second by Lee Fronabarger.

Final Resolution: Motion Carries

Yea: Lee Fronabarger, Tom Grant, Carolin Harvey, Adam Loos, Jessica Bradshaw, Jeff Doherty

3. Citizens' Comments for the Local Liquor Control Commission

None

4. Adjournment of the Local Liquor Control Commission

4.1 Time of Adjournment for Local Liquor Control Commission

There being no further business to come before the public body, the meeting was declared adjourned at 6:57p

Clinette C. Hayes, Deputy City Clerk

Date