

FREEPORT LIQUOR COMMISSION
OPEN MEETING
OCTOBER 19, 2017

A town hall-style meeting of the Freeport Liquor Commission was held at 5:05 p.m. on October 19, 2017, in Conference Room 1-A at City Hall, 314 West Stephenson Street, Freeport, Illinois.

Present were Commissioners: Jeff Davis, Stacy Fernstaedt, Tim Mahoney, and Don Parker.

Also present for the City of Freeport: City Clerk Dovie Anderson and City Legal Counsel Steve Cox, Esq.

Minutes

Attorney Cox distributed (1) a listing of existing License Classifications and Summary and (2) a list of possible discussion topics: Possible Additions to Classifications, "V" License Restrictions and Transferability, Tastings, Parklet/Sidewalk Café/Zoning/Outdoor Sales, BYOB Establishments, BASSET, Temporary Licenses, Hours of Operation, Required Documentation, and Keg Reg.

Attorney Cox stated that tonight's meeting would be a review of the first two open meetings held on September 20 and October 3, 2017, and open discussion on any other matters of concern brought to the floor.

The Rental Hall classification was discussed in that it consists of various tiers based on the number of events held per year. Attorney Cox stated that the tiers and fees will likely stay the same for this classification. To convert to an A License would require a \$10,000 deposit.

Attorney Cox stated that current licensing Ordinances cover Brew Pubs but he will be adding micro distilleries and wine makers. He will also be reviewing State statutes and codes from other municipalities regarding the sale of packaged goods at events such as Brewfest and Winefest. He also mentioned clarifying the tasting requirement. He believes there may be a way for local wine makers to offer their product for sale at Special Events such as Winefest. One way would be for a non-profit to purchase wine directly from the local distributor.

Discussion surrounding parklets was covered. Attorney Cox stated that he will be drafting Code for establishments outside of the downtown business district to offer a parklet-type setting. He said that defining the premises with a "clearly delineated" boundary and access control are key to the permitting process. He added that defining the premises is important from an insurance standpoint as well. He believes this can be accomplished when the establishment owns the property or has permission from the landlord. He would like to eliminate the need for City approval for each separate event and instead incorporate the requirement into specific classifications of licenses. Concern was expressed over the current requirements of a \$75 fee and the need for a fence.

Mechanical Gaming Licenses were discussed in conjunction with Liquor Licenses. Currently proceeds from gaming cannot exceed thirty-five percent (35%) of gross income. Some gaming parlors in Freeport were grandfathered in and new gaming-only establishments are not allowed in Freeport. Discussion ensued regarding any type of retail business would be considered as long as proceeds from gaming did not exceed thirty-five percent (35%). Attorney Cox added that the thirty-five percent (35%) requirement was fairly new but he could draft as "less than fifty percent (50%)" and always change it before finalization. At a previous open meeting, discussion centered around the possibility of allowing gaming and a license to pour at gas station/convenience stores that currently sell wine and beer. Attorney Cox stated that perhaps one

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requirement could be that the store has a kitchen. Eliminating a cap on the number of Mechanical Gaming Licenses was discussed. There was general consensus among the Commissioners in favor of such.

Commissioner Mahoney left the meeting at 5:45 p.m.

State statute allows for 18-year olds to be in establishments where liquor accounts for the majority of the income. The Commissioners agreed that Freeport's Code should be relaxed to reflect State requirements. This would allow for entertainers between the ages of 18 and 20 to perform in local establishments as well as eliminate the need for pourers and servers to be 21, but 18.

The requirement for the Keg Reg was discussed. General consensus was to remove it from Code if not being implemented nor enforced. Attorney Cox will check with Chief Barkalow before striking this language.

Attorney Cox addressed the section on holiday hours and stated that he will add clarifying language. He also brought up the possibility of allowing extended hours to Special Events upon request. There was also discussion regarding extending outdoor liquor sales until 11:00 p.m. on weekends in a preliminary draft, in case Council wishes to leave it at 10:00 p.m.

Liquor tastings were again discussed. Attorney Cox feels that reporting tastings is not required by establishments with a pour license. For establishments that sell packaged goods, he would like to draft the new Ordinances to include reporting of tastings in the annual licensing process rather than a case-by-case basis. Tastings conducted by distributors will also be addressed in the new Code.

Payment of the annual renewal fee in installments was discussed and the likelihood that installments will be eliminated going forward.

Rooftop sales and outdoor event spaces were again discussed. Attorney Cox stated that both would be defined as an expansion of premises and would probably require submittal of a plan that would be approved on an individual basis due to the uniqueness of each situation. It would be difficult to write Code to encompass every possibility.

The meeting adjourned at 6:46 p.m.

Respectfully submitted,
Dovie L. Anderson
City Clerk