



**LIQUOR COMMISSION MINUTES
THURSDAY APRIL 28, 2022 AT 4:00 P.M.
CITY HALL COUNCIL CHAMBERS
111 SOUTH CAPITOL STREET
PEKIN, ILLINOIS 61554**

Deputy Liquor Commissioner Rick Von Rohr called the meeting to order at 4:00 p.m.

The **PLEDGE of ALLEGIANCE** was led by Commission Member Dr. Timm Schwartz.

ROLL CALL

The following members were present for roll call: Battalion Chief John Turner, Commission Member Dr. Timm Schwartz, Commission Member Judy Heisel and Deputy Liquor Commissioner Rick Von Rohr.

Also present: Attorney Kate Swise and Liquor Commission Secretary Nicole Stewart.

Absent: Police Chief John Dossey and Liquor Commissioner Mark Luft.

APPROVAL OF AGENDA

Motion made by Commission Member Dr. Timm Schwartz, seconded by Battalion Chief John Turner to approve the April 28, 2022 agenda. On roll call vote all present voted Aye. Motion carried.

PUBLIC INPUT/COMMENTS/QUESTIONS

No public input was received.

NEW BUSINESS

Liquor Commission Hearing Re: Shawn's Public House – Violation of 2% Food and Beverage Tax

Deputy Liquor Commissioner opened the hearing at 4:05 PM.

City Attorney Kate Swise stated that a notice was sent and served on Shawn's Public House by Officer Gonzalez of the Pekin Police Department notifying that pursuant to 5-7-5 of the Act a public hearing would be held before the commission today at City Hall to determine liquor license suspension or revocation for failing to file monthly tax returns for the months of August thru December 2021 and January thru February 2022. No one appeared on behalf of Shawn's Public House.

Finance Clerk, Chrystal Hornback, confirmed that Shawn's Public House had made a payment last month but the check was returned for insufficient funds. Ms. Hornback reached out to them but

had not yet received payment and were missing returns from January thru March this year. Ms. Hornback presented to Ms. Swise an activity statement that was submitted into evidence as an exhibit. A copy of the NSF fee and check was also submitted into evidence for the Deputy Liquor Commissioner's consideration. Deputy Liquor Commissioner confirmed that \$1,700 was owed without the fees included and that because tax returns had not been filed for 2022 there was no way to determine a total amount due. Shawn's Public House had not yet applied to renew their liquor license and was aware that the owner had no intention on renewing.

Ms. Swise clarified to the commission that Exhibit A consisted of the activity statement, Exhibit B were copies of the notices mailed and Exhibit C was a copy of the returned check received last month.

Commission Member Dr. Timm Schwartz questioned the difference between revocation and suspension. Ms. Swise explained that suspension usually was for a defined period of time and that revocation would require the establishment to apply to get their license back. The City Code states that once a person's license is revoked, they are ineligible for a new city liquor license.

The commission discussed whether the liquor license should be suspended or revoked in addition to paying all taxes owed, fines, penalties and attorney fees.

Deputy Liquor Commissioner ended the hearing at 4:25 PM.

A motion was made by Commission Member Dr. Timm Schwartz seconded by Commission Member Judy Heisel to impose a fine of \$1,000 for non-payment of taxes and to pay all fees due to date plus attorney fees. On roll call vote all present voted Aye. Motion carried.

ANY OTHER BUSINESS TO COME BEFORE THE COMMISSION

No other business came before the Commission.

ADJOURNMENT

Motion to adjourn by Battalion Chief John Turner and seconded by Commission Member Dr. Timm Schwartz. On roll call vote all present voted Aye. Motion carried.

Meeting adjourned at 4:27 PM.

Respectfully submitted,
Nicole L. Stewart
Deputy City Clerk