

LIQUOR ADVISORY BOARD
Tuesday, December 16, 2008
6:00 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Present:

LAB Members: Alicia DiBenedetto
Aaron Magdziarz
Dan Roszkowski
Julio Salgado
Scott Sanders

Absent: Craig Sockwell

Staff: Todd Cagnoni – Deputy Director, Community & Economic
Development, Construction & Development Services
Sandra Hawthorne – Administrative Assistant
Jennifer Cacciapaglia – City Attorney, Liquor Commission
Frank Schmitt - Chief, Fire Prevention

Others: Kathy Berg, Stenographer
Applicants and Interested Parties

The meeting started at 6:00 P.M. A **MOTION** was made by Aaron Magdziarz to **APPROVE** the minutes of the November 18, 2008 meeting as submitted. The **MOTION** was **SECONDED** by Scott Sanders and **CARRIED** by a vote of 5-0.

08-LAB-033 1137 Broadway
Applicant Gina Marie Ferling d/b/a/ Café 99
Ward 11 Sale of liquor by the drink in conjunction with a restaurant and
bar in a C-4, Urban Mixed District
Laid Over from November meeting

Prior to the meeting, the Applicant requested that this item be Withdrawn. No further action was taken.

08-LAB-035 1321 South Main Street
Applicant Abdulhakim A.M. Alshamam d/b/a/South Main Foods
Ward 5 Sale of alcohol by the package in conjunction with a grocery
store in an R-1, Single-family Zoning District

The subject property is located 115 feet south west of the Montague Street and South Main Street intersection. Attorney Russell Anderson, representing the Applicant, Steven Sproul, and the Applicant was present. Mr. Ali Thabet was also present as an interpreter for the Applicant. Attorney Anderson explained Mr. Alshamam is the soul owner and operator of the business. An internal layout of the grocery store was submitted. Liquor sales is anticipated to be less than 35% of total sales. There will be numerous security cameras both inside the store as well as outside. Access from the north is available - there is no access from the south as that area is fenced off for dumpsters.

Attorney Cacciapaglia advised the Commission that the issue up for vote is the sale of packaged liquor only, and not connected with leasing of the property. She asked the Applicant what the current inventory of alcohol was, and the applicant responded there was none at this time. Attorney Cacciapaglia asked if any other persons would be involved in managing the property, to which the response was that

Mr. Alshamam would be the only person operating the property on a daily basis. She requested clarification of security personnel. The Applicant's representative stated the business now closes at 6:00 P.M. If future plans are to expand those hours, they would use a security firm as needed. Attorney Anderson clarified since April, under the Applicant's ownership, there have only been a half dozen police calls to this property. Other calls were under the previous owner who will not be affiliated with any operation of this business. Attorney Anderson stated the Applicant is accepting of Staff conditions of approval.

Staff Recommendation was for Approval with 7 conditions. No Objectors were present.

During discussion Scott Sanders stated he shared a concern that conditions of approval numbers 2 and 6 be adhered to.

A **MOTION** was made by Scott Sanders to **APPROVE** the sale of alcohol by the package in conjunction with a grocery store in the name of Abdulhakim A.M. Alshamam d/b/a/ South Main Foods in an R-1, Single-family Zoning District at 1321 South Main Street. The Motion was **SECONDED** by Julio Salgado and carried by a vote of 5-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes.
2. The amount of alcoholic sales display shall not exceed 20% of the gross interior floor square footage. A detailed interior floor plan drawn to scale indicating all liquor display areas shall be submitted for Staff's review and approval.
3. Window display signage is limited to 30% of window area.
4. There shall be no sale of liquor after 12:00 A.M.
5. The sale of rose tubes, airplane-sized bottles and any other products that can be deemed to be easily manufactured into crack pipes is prohibited.
6. The amount of alcoholic sales can only be 35% of gross annual sales of the business.
7. Compliance with all City of Rockford Liquor Codes

Other

Mr. Cagnoni reminded board members that at last month's meeting it was decided to move the time of the Liquor Advisory Board meetings to 5:30 PM beginning with the January 2009 meeting. After discussion, it was decided that future meetings will continue to start at 6:00 PM. In the event there is a significant number of items on a future agenda, Staff will notify the board and a joint decision will be made on starting the meeting earlier.

With no further business to come before the Board, the meeting was adjourned at 6:16 PM.

Respectfully submitted,
Sandra A. Hawthorne, Administrative Assistant
Liquor Advisory Board