



AGENDA

Liquor Control Commission

April 21, 2015

Room 404

Government Center

115 E. Washington Street

Bloomington, IL 61702

9:30 a.m. or immediately following the
County Board Meeting

1. Call to Order.
2. Chairman's Approval of Minutes from the January 20, 2015 meeting.
3. Items to be Presented for Action:
 - a) Application for 2014-2015 Annual Liquor License – Class B
American Legion Louis E. Davis Post 56, Inc.
 - b) Hearing on the County vs Danvers Y Entertainment - LV-15-02
 - c) Hearing on the County vs Danvers Y Entertainment - LV-15-03
4. Other Business and Communication.
5. Adjournment

Minutes of the Liquor Control Commission

The Liquor Control Commission of the McLean County Board met on Tuesday, January 20, 2015 at 9:30 a.m. in Room 404, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Sorensen, Members Metsker and Schafer

Members Absent: Members Cavallini and Wendt

Staff Present: Diana Hospelhorn, Recording Secretary, County Administrator's Office

Department Heads/
Elected Officials:

Others Present: Ms. Jessica Woods, Assistant State's Attorney, Civil Division, Mr. Drake Irwin, President of Irwin Entertainment

Chairman Sorensen called the meeting to order at 9:34 a.m. He noted that the first item for action is approval of the October 21, 2014 Liquor Control Commission Minutes. He asked if the Committee had any corrections to the minutes. Hearing none, Chairman Sorensen approved the October 21, 2014 Liquor Control Commission Minutes as presented.

Chairman Sorensen stated that the only item for action is the Hearing on McLean County vs Danvers Y Entertainment – LV-15-01. He asked Ms. Jessica Woods, Assistant Civil State's Attorney to address the Commission.

Ms. Woods noted that the State's Attorney's office received notification from the Sheriff's Department indicating a violation of the County Liquor Control Ordinance. On November 2, 2014 the Danvers Y Entertainment remained open and allowed consumption of alcoholic beverages past 1:00 a.m. in violation of Section 31.32 of the McLean County Liquor Control Ordinance. She pointed out that due to the time change from daylight savings time; Danvers Y Entertainment believed they had an additional hour to stay open. Ms. Woods noted that the time change is at 2:00 a.m.

Ms. Woods referred to the complaint. She advised that she has talked to Mr. Drake Irwin, president of Irwin Entertainment dba Danvers Y Entertainment. Mr. Irwin has agreed upon the Stipulation of Facts:

- Danvers Y Entertainment admits to the LV-15-01 complaint and the parties together ask the Commission to find Danvers Y Entertainment guilty of violating section 31.32 of the McLean County Liquor Control Ordinance.
- The parties have agreed upon an appropriate penalty of a \$150 fine and orders Danvers Y Entertainment to close two hours early on Thursday, January 22, 2015. The closing time on January 22, 2015 shall be 11:00 p.m.

Ms. Woods pointed out that although there were issues with the previous owner of Danvers Y, this is the first violation for Mr. Irwin, the current owner of Danvers Y Entertainment. He has owned the facility for three years.

Chairman Sorensen asked if the Commission had any questions.

Ms. Metsker asked if the recommended penalty is adequate for a first violation. Chairman Sorensen responded that the penalty is consistent for a first violation of this type.

Ms. Metsker thanked Ms. Woods for pointing out that the previous occurrence at Danvers Y is not a reflection on Mr. Irwin as the new and current owner of Danvers Y Entertainment. This is Mr. Irwin's first violation.

Motion by Schafer/Metsker to recommend
a \$150.00 fine and order Danvers Y
Entertainment to close two hours early on
Thursday, January 22, 2015 for LV-15-01.
Motion carried.

Chairman Sorensen stated that it is the recommendation of the Liquor Control Commissioner that the penalty for LV-15-01 be a \$150.00 fine and a two hour early closing on January 22, 2015. So ordered.

Chairman Sorensen asked if there was any further business to come before the Liquor Control Commission. Hearing none he adjourned the Liquor Control Commission Meeting at 9:45 a.m.

Respectfully submitted,

Diana Hospelhorn
Recording Secretary



Kathy Michael, McLean County Clerk
 115 E Washington Street, Room 102
 PO Box 2400
 Bloomington, IL 61702-2400
 (309) 888-5190 Fax: (309) 888-5932
 Email: kathy.michael@mcleancountyil.gov
 Website: www.mcleancountyil.gov/countyclerk

McLean County Liquor License Application
 Class B License

1. Name of Applicant(s): American Legion Louis E. Davis Post 56, Inc.

Check one: Individual Partnership *Corporation

*If a corporation, number six (6) below must be completed.

2. Address of Applicant(s): 2505 Fox Creek Rd.
Bloomington, IL 61702-3263

3. Telephone: (309) 828-3641 Cell: () Fax: ()
 Email: _____

4. Date of Birth of Applicant(s): NA

5. Citizenship of Applicant(s): NA

Place of Birth: NA

If naturalized, place and date of Naturalization: _____

6. *If Corporate Applicant:

a. Date of Incorporation: 5-15-1997

b. State of Incorporation: Illinois

c. Date of Charter Issuance: July 18, 1919

d. If foreign Corporation, name of Registered Agent and Address:

e. Registered objects of corporation (attach copy).

f. Directors of Corporation: David L. Turnis, 804 Durham Dr., Bloomington, IL 61704

Richard O. Ross, 315 Vista Dr., Bloomington, IL 61701

Royden R. Jones, 304 Macallen Lake Rd, Carlock, IL 61725

g. Shareholders of Corporation:

NA

h. Officers of Corporation: _____

i. Check one: Not for Profit Corporation

For Profit Corporation

j. If Memberships issued, to whom issued? Military Veterans

State of Illinois)
County of McLean)

Before the Liquor
Control Commission
of the County of McLean


COUNTY OF McLEAN, ILLINOIS)
)
 vs.)
)
 IRWIN ENTERTAINMENT, INC,)
 d/b/a DANVERS Y, ENTERTAINMENT.)
)
 Defendant.)

No. LV-15-2

COMPLAINT

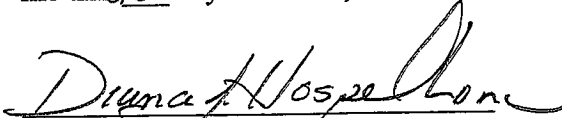
COUNT 1. The undersigned complainant states that IRWIN ENTERTAINMENT, INC., d/b/a DANVERS Y ENTERTAINMENT and/or their agent or employee on or about the 31st day of January, 2015, at Danvers Y Entertainment, 4602 E. 1625 North Road, Danvers, in the County of McLean, State of Illinois, committed the offense of Allowing the Consumption of Alcoholic Beverages Outside of Operating Hours in violation of the provisions of the McLean County Liquor Control Ordinance in that the DANVERS Y ENTERTAINMENT did allow consumption of alcoholic beverages on the premises past 1:00 am on January 31, 2015 in violation of Section 31.32 of the McLean County Liquor Control Ordinance of 1980 as amended.

The undersigned complainant, on oath, states that the facts set forth in the foregoing Complaint are true in substance and matter of fact, to the best of her knowledge, information, and belief.

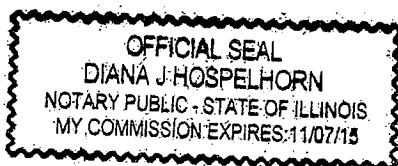


Jessica Woods
Assistant State's Attorney

Subscribed and sworn to before
me this 25th day of March, 2015.



Notary Public



State of Illinois)
County of McLean)

Before the Liquor
Control Commission
of the County of McLean

COUNTY OF McLEAN, ILLINOIS)
)
 vs.)
)
 IRWIN ENTERTAINMENT, INC,)
 d/b/a DANVERS Y, ENTERTAINMENT.)
)
 Defendant.)

No. LV-15-2

NOTICE TO APPEAR FOR A HEARING

TO: IRWIN ENTERTAINMENT, INC., d/b/a DANVERS Y ENTERTAINMENT
ATTN: Drake Irwin
4602 E.1625 North Road
Danvers, IL 61732

You are to appear on **April 21, 2015 at 9:30 a.m.** for a Liquor Control Commission Hearing scheduled for this case in Room 400 on the 4th Floor of the **Government Center**, 115 East Washington Street, Bloomington, Illinois. This hearing is being held to inquire into the Complaint which has been filed against you alleging the following possible violation of Section 31.32 of the McLean County Liquor Control Ordinance of 1980 as amended which regulates liquor licenses and specifies the responsibilities of licensees:

That DANVERS Y ENTERTAINMENT, and/or its agent or employee on or about the 31st day of January, 2015, at Danvers Y Entertainment in the County of McLean, State of Illinois, committed the offense of Allowing the Consumption of Alcoholic Beverages Outside of Operating Hours.

Because of the heavy schedules of the Commissioners, continuances are generally granted **only** on the basis of unusual circumstances or exceptional situations, and they must be requested in writing prior to the date of the scheduled hearing. A copy of the pre-hearing and hearing procedures are attached to this Notice. You may wish to appear at this hearing with your attorney.

McLEAN COUNTY LIQUOR CONTROL COMMISSION


By: Matthew Sorensen, Its Chairman

State of Illinois)
County of McLean)

Before the Liquor
Control Commission
of the County of McLean

COUNTY OF McLEAN, ILLINOIS)
)
 vs.)
)
 IRWIN ENTERTAINMENT, INC,)
 d/b/a DANVERS Y, ENTERTAINMENT.)
)
 Defendant.)

No. LV-15-2

STIPULATION OF FACTS

Now comes Irwin Entertainment, Inc, d/b/a Danvers Y Entertainment, by Drake Irwin, its president, and the County of McLean by Assistant State's Attorney, Jessica Woods, and in reference to the above-captioned proceedings agree to the following facts:

1. That Danvers Y, Inc. was the licensee of a 2014-2015 McLean County Liquor License on July 1, 2014.
2. That on January 31, 2015, Danvers Y Entertainment allowed the consumption of alcohol on the premises past 1:00 am in violation of Section 31.32 of the McLean County Liquor Control Ordinance of 1980 as amended.
3. That such acts done at Danvers Y Entertainment were made at the actual implied knowledge or approval of the licensee.
4. That as a result of the facts and circumstances herein stipulated, the parties respectfully request that the Liquor Control Commission find Danvers Y Entertainment guilty of violating Section 31.32 of the McLean County Liquor Control Ordinance of 1980 as amended and impose a penalty of a \$250 fine.

IRWIN ENTERTAINMENT
d/b/a DANVERS Y ENTERTAINMENT

COUNTY OF McLEAN

By: _____
Drake Irwin
President, Irwin Entertainment

By: _____
Jessica Woods
Assistant State's Attorney

State of Illinois)
County of McLean)

Before the Liquor
Control Commission
of the County of McLean

COUNTY OF McLEAN, ILLINOIS)
)
 vs.)
)
 IRWIN ENTERTAINMENT, INC,)
 d/b/a DANVERS Y, ENTERTAINMENT.)
)
 Defendant.)

No. LV-15-2

ORDER

A final hearing having been held in the above-captioned matter on April 21, 2015 regarding charges stating that on January 31, 2015, at the premises known as Irwin Entertainment, Inc., d/b/a Danvers Y Entertainment, 4602 E.1625 North Road, Danvers, in the County of McLean, State of Illinois, said establishment allowed the consumption of alcoholic beverages on the premises past 1:00 am and that said operation and allowed consumption were in violation of Section 31.32 of the McLean County Liquor Control Ordinance of 1980 as amended; and the Defendant being present at the hearing, the County of McLean being represented by Assistant State's Attorney Jessica Woods and evidence having been presented and received by written stipulation; the McLean County Liquor Control Commission finds as follows:

1. Drake Irwin as President of Irwin Entertainment, Inc., d/b/a Danvers Y Entertainment was served with a copy of the Complaint in this case and was notified of the hearing in this matter in the manner provided by law and is currently, and at the time in question, a holder of a 2014-2015 McLean County Liquor License.
2. At the time in question at Danvers Y Entertainment, 4602 E.1625 North Road, Danvers, allowed consumption of alcohol on the premises past 1:00 am in violation of Section 31.32 of the McLean County Liquor Ordinance of 1980 as amended.
4. In reaching a decision herein, the Stipulation of Facts and the disposition recommended by all parties has been carefully considered by this Commission.

WHEREFORE, on the basis of the foregoing facts and considering the applicable law in this case, the McLean County Liquor Control Commission finds IRWIN ENTERTAINMENT, INC., d/b/a DANVERS Y, ENTERTAINMENT., to be guilty of violating Section 31.32 of the McLean County Liquor Control Ordinance as heretofore stated and considering all of the evidence in aggravation

and mitigation of the violation and of the possible penalty associated therewith, the McLean County Liquor Control Commission hereby orders the licensee to be penalized with a \$250 fine.

Dated this ____ day of _____, 20__.

Chairman, McLean County
Liquor Control Commission
McLean County, Illinois

State of Illinois)
County of McLean)

Before the Liquor
Control Commission
of the County of McLean

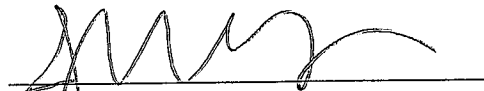
COUNTY OF McLEAN, ILLINOIS)
)
 vs.)
)
 IRWIN ENTERTAINMENT, INC,)
 d/b/a DANVERS Y, ENTERTAINMENT.)
)
 Defendant.)

No. LV-15-3

COMPLAINT

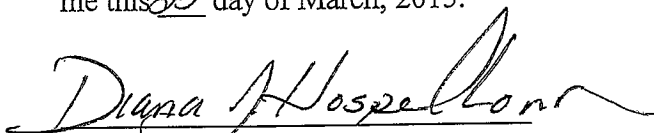
COUNT 1. The undersigned complainant states that IRWIN ENTERTAINMENT, INC., d/b/a DANVERS Y ENTERTAINMENT and/or their agent or employee on or about the 20th day of February, 2015, at Danvers Y Entertainment, 4602 E. 1625 North Road, Danvers, in the County of McLean, State of Illinois, committed the offense of Allowing the Consumption of Alcoholic Beverages Outside of Operating Hours in violation of the provisions of the McLean County Liquor Control Ordinance in that the DANVERS Y ENTERTAINMENT did allow consumption of alcoholic beverages on the premises past 1:00 am on February 20, 2015 in violation of Section 31.32 of the McLean County Liquor Control Ordinance of 1980 as amended.

The undersigned complainant, on oath, states that the facts set forth in the foregoing Complaint are true in substance and matter of fact, to the best of her knowledge, information, and belief.

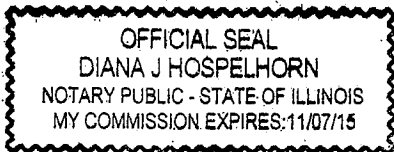


Jessica Woods
Assistant State's Attorney

Subscribed and sworn to before
me this 25th day of March, 2015.



Notary Public



State of Illinois)
County of McLean)

Before the Liquor
Control Commission
of the County of McLean

COUNTY OF McLEAN, ILLINOIS)
)
vs.)
)
IRWIN ENTERTAINMENT, INC,)
d/b/a DANVERS Y, ENTERTAINMENT.)
)
Defendant.)

No. LV-15-3

NOTICE TO APPEAR FOR A HEARING

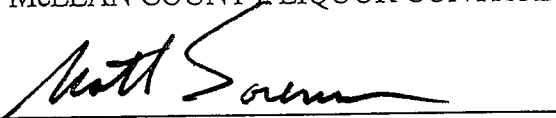
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ATTN: Drake Irwin
4602 E.1625 North Road
Danvers, IL 61732

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By: Matthew Sorensen, Its Chairman

State of Illinois)
County of McLean)

Before the Liquor
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COUNTY OF McLEAN, ILLINOIS)
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 vs.)
)
 IRWIN ENTERTAINMENT, INC,)
 d/b/a DANVERS Y, ENTERTAINMENT.)
)
 Defendant.)

No. LV-15-3

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1. That Danvers Y, Inc. was the licensee of a 2014-2015 McLean County Liquor License on July 1, 2014.
2. That on February 21, 2015, Danvers Y Entertainment allowed the consumption of alcohol on the premises past 1:00 am in violation of Section 31.32 of the McLean County Liquor Control Ordinance of 1980 as amended.
3. That such acts done at Danvers Y Entertainment were made at the actual implied knowledge or approval of the licensee.
4. That as a result of the facts and circumstances herein stipulated, the parties respectfully request that the Liquor Control Commission find Danvers Y Entertainment guilty of violating Section 31.32 of the McLean County Liquor Control Ordinance of 1980 as amended and impose a penalty of a \$500 fine and a one-day revocation of their liquor license on Friday, May 8, 2015.

IRWIN ENTERTAINMENT
d/b/a DANVERS Y ENTERTAINMENT

COUNTY OF McLEAN

By: _____
Drake Irwin
President, Irwin Entertainment

By: _____
Jessica Woods
Assistant State's Attorney

State of Illinois)
County of McLean)

Before the Liquor
Control Commission
of the County of McLean

COUNTY OF McLEAN, ILLINOIS)
)
vs.)
)
IRWIN ENTERTAINMENT, INC,)
d/b/a DANVERS Y, ENTERTAINMENT.)
)
Defendant.)

No. LV-15-3

ORDER

A final hearing having been held in the above-captioned matter on April 21, 2015 regarding charges stating that on February 21, 2015, at the premises known as Irwin Entertainment, Inc., d/b/a Danvers Y Entertainment, 4602 E.1625 North Road, Danvers, in the County of McLean, State of Illinois, said establishment allowed the consumption of alcoholic beverages on the premises past 1:00 am and that said operation and allowed consumption were in violation of Section 31.32 of the McLean County Liquor Control Ordinance of 1980 as amended; and the Defendant being present at the hearing, the County of McLean being represented by Assistant State's Attorney Jessica Woods and evidence having been presented and received by written stipulation; the McLean County Liquor Control Commission finds as follows:

1. Drake Irwin as President of Irwin Entertainment, Inc., d/b/a Danvers Y Entertainment was served with a copy of the Complaint in this case and was notified of the hearing in this matter in the manner provided by law and is currently, and at the time in question, a holder of a 2014-2015 McLean County Liquor License.
2. At the time in question at Danvers Y Entertainment, 4602 E.1625 North Road, Danvers, allowed consumption of alcohol on the premises past 1:00 am in violation of Section 31.32 of the McLean County Liquor Ordinance of 1980 as amended.
4. In reaching a decision herein, the Stipulation of Facts and the disposition recommended by all parties has been carefully considered by this Commission.

WHEREFORE, on the basis of the foregoing facts and considering the applicable law in this case, the McLean County Liquor Control Commission finds IRWIN ENTERTAINMENT, INC., d/b/a DANVERS Y, ENTERTAINMENT., to be guilty of violating Section 31.32 of the McLean County

Liquor Control Ordinance as heretofore stated and considering all of the evidence in aggravation and mitigation of the violation and of the possible penalty associated therewith, the McLean County Liquor Control Commission hereby orders the licensee to be penalized with a \$500 fine and a one-day revocation of their liquor license on Friday, May 8, 2015.

Dated this ____ day of _____, 20__.

Chairman, McLean County
Liquor Control Commission
McLean County, Illinois