

Liquor License Review Board

April 15, 2015
City Council Chambers, City Hall
9:00 a.m.

Board Present: Lori Meyer, Human Resources Manager, Chief Review Officer
Steve Cook, Assistant Public Works Director
Charles "Speedy" Wagoner

City Staff Present: Bruce Taylor, Deputy City Clerk/Administrative Aide
Lt. Bradley Smith, Police Department
W. Eric Cunningham, City Attorney

Others Present: Oliver Burger Jr., Director of Operations - Drury Development Corp.

Call to Order

Ms. Meyer called the meeting to order at 9:00 a.m. She introduced the Board and explained the rules of procedure for addressing the Board.

The minutes of the March 26, 2015, meeting of the Liquor Review Board were approved upon Mr. Wagoner's motion, Mr. Cook's second, and the following vote: Ayes, Cook, Meyer, Wagoner. Nays, none.

COMMENTS, DISCUSSION & VOTING

Review of appeal of suspension of liquor license for Drury Petroleum, Inc., d/b/a Phillips 66, 3276 William Street, Cape Girardeau, Missouri

- a. Ms. Meyer called for Applicant Comment.

Mr. Oliver Burger, Jr., Director of Operations Drury Development Corporation, 721 Emerson Road, Suite 200, Saint Louis, Missouri, appeared, presented a background of the business, and discussed the recent incidents that occurred at the Phillips 66 convenience store located at 3276 William Street. In addition to measures already in place, the business is now enrolled in the BARS program for alcohol compliance training and verification. Furthermore, the point of sale (POS) registers have been upgraded to require the birthdate to be entered for any and all alcohol sales instead of having an employee pass through option for buyers that may appear older than forty years old.

Mr. Burger presented the following documents to the board: pictures of signage that identification (IDs) is required for alcohol and tobacco sales and calendar supplied to employees to verify age; new hire memorandum and checklist for checking IDs and that termination is the consequence for non-compliance; Cape

Girardeau Police Department Alcohol Server Training flyer; BARS program participation report and service agreement; and a six page document posted for employees at the store. Mr. Wagner asked if Mr. Burger if he is the direct supervisor of the employees at the store in Cape Girardeau. Mr. Burger answered that he is the operations manager for all the Drury C-stores and that most of the locations were in and around the Saint Louis area.

- b. Ms. Meyer called for City Staff Comment.

Lt. Bradley Smith, Cape Girardeau Police Special Operations Bureau, appeared and reviewed the incidents that had occurred at Phillips 66, 3276 William Street, during four separate alcohol compliance checks with a youth buyer. The dates of the incidents are February 12, 2015; November 13, 2014; June 25, 2014; and March 20, 2014. Lt. Smith noted that in all four incidents that the employee requested an ID but continued the alcohol sale with the youth buyer. Mr. Wagner asked Lt. Smith how locations get selected for the compliance checks. Lt. Smith answered that approximately twenty to thirty locations of bars, restaurants, and convenience stores are selected each quarter, and that it is basically a random rotation.

City Attorney Eric Cunningham appeared and noted that in all four cases that the court record showed that the employee pled guilty to the original charge. Mr. Burger stated the employee that had sold to the youth buyer twice had told management that the first incident had been reduced to a charge of selling tobacco to a minor.

- c. The Board reviewed and discussed the information provided.

Ms. Meyer thanked Mr. Burger for appearing before the Board. She indicated the board must determine whether to uphold the recommended 7-day suspension.

A motion was made by Mr. Cook, seconded by Mr. Wagoner, to uphold the City Manager's seven-day suspension of the Liquor License for Drury Petroleum, Inc., d/b/a Phillips 66, located at 3276 William Street, Cape Girardeau, Missouri. The motion was approved 3-0 upon the following vote: Ayes, Cook, Meyer, Wagoner. Nays, none.

City Attorney Eric Cunningham stated that the City Manager will determine the dates of the suspension, and a letter will be sent with the dates of the suspension.

Adjourn

A Motion was made by Ms. Meyer, seconded by Mr. Cook, to adjourn. The motion was approved 3-0 upon the following vote: Ayes, Cook, Meyer, and Wagoner. Nays, none.

Meeting ended at 9:20 p.m.

Minutes taken by:
Bruce Taylor
Deputy City Clerk/Administrative Aide