



MINUTES
REGULAR LIQUOR COMMISSION MEETING
TUESDAY, DECEMBER 14, 2021, 4:00 P.M.

The Commission convened in regular session in the Government Center Chambers, 115 E. Washington Street at 4:00 p.m., Tuesday, December 14, 2021. The meeting was called to order by Commissioner Mboka Mwilambwe.

Roll Call

Attendee Name	Title	Status	Arrived
Mboka Mwilambwe	Commissioner	Present	
Lindsey Meister	Commissioner	Present	
Jim Jordan	Commissioner	Absent	

Staff Advisors

Attendee Name	Title	Status	Arrived
Leslie Yocum	City Clerk	Present	
George Boyle	Asst. Corporation Counsel	Present	
Timothy McCoy	Assistant Police Chief	Present	
Chris McAllister	Building Official	Present	

Public Comment

Individuals wishing to provide emailed public comment must email comments to publiccomment@cityblm.org at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person may register at cityblm.org/register at least 5 minutes before the start of the meeting.

Leslie Yocum, City Clerk, explained that a few emailed public comments were received via email but that the individuals intended their comments to be testimony and not public comment. As a result, they had been addressed separately by the Legal Department.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled by Council from the Consent Agenda for discussion are listed and voted on separately.

Council Member Meister made a motion, seconded by Council Member Mwilambwe, that the Consent Agenda, including all items listed below, be approved as presented.

Commissioner Mwilambwe directed the Clerk to call the roll, which resulted in the following:

AYES: Mwilambwe, Meister

ABSENT: Jordan

Motion carried.

Item 4.A. Consideration and action to approve the Minutes of the October 29, 2021, Special Liquor Commission Meeting, as requested by the City Clerk Department. (Recommended Motion: The proposed Minutes be approved.)

Regular Agenda

All license creations, amendments or transfers are contingent upon compliance with all building, health, and safety codes.

The following item was presented:

Item 5.A. Consideration and action on corrected change of ownership information for Adidev Hospitality Management, LLC, d/b/a Chateau Hotel and Conference Center Bloomington, located at 1621 Jumer Dr., as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 4:14 p.m.

Jeremy Cruthis, General Manager of the Applicant Business, after being sworn, addressed the Commission. Mr. Cruthis explained that there was a clerical error when staff applied for the City liquor license. He elaborated that he was under the impression that Adidev Hospitality Management, LLC, was owned equally (50/50) by a husband and wife. However, the FEIN number for the applicant business only listed the husband, Nalin Gumpta, as the owner of the LLC. Mr. Cruthis explained that he sought to correct the City's records to reflect the information on file.

Commissioner Meister had no questions.

George Boyle, Assistant Corporation Counsel, asked if a change of ownership had occurred since the application was filed. Mr. Cruthis confirmed no change in ownership.

Mr. Boyle asked if the same individual owned the LLC when the original application was submitted. Mr. Cruthis confirmed.

Commissioner Mwilambwe and Mr. Boyle discussed the need for the corrected portion of the application regarding ownership along with a sworn affidavit that the ownership information was true, correct, and not inconsistent with the affirmation on the current application.

Commissioner Mwilambwe asked if anyone would like to speak for or against the application. No individuals came forward.

Council Member Meister made a motion, seconded by Council Member Mwilambwe, that the request be approved.

Commissioner Mwilambwe directed the Clerk to call the roll, which resulted in the following:

AYES: Mwilambwe, Meister

Motion carried.

Commissioner Mwilambwe closed the public hearing at 4:23 p.m.

The following item was presented:

Item 5.B. Public Hearing and action on an Application from 9JKD10, LLC, d/b/a Franzetti's Pantry Plus, located at 801 E. Washington St., for an increase in liquor license classification from a Class PBS (Package, Beer and Wine Only, and Sunday Sales) to a Class PAS (Package Sales, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 4:24 p.m.

Minesh Patel, Owner of the Applicant Business, after being sworn, addressed the Commission. Mr. Patel that he would like to increase his liquor license at his neighborhood establishment to create a one stop shop. He stated his customers had requested hard alcohol.

Commissioner Meister asked if the hours of operation were 11:00 a.m. to 10:00 p.m. Mr. Patel responded that the establishment was open from 7:00 a.m. to 9:00 p.m. during the week and 8:00 a.m. to 9:00 p.m. on Saturdays and Sundays.

Commissioner Meister asked if all employees were BASSET trained. Mr. Patel confirmed.

Commissioner Mwilambwe asked the number of employees. Mr. Patel responded that he, his wife, and his cousin were the only employees.

George Boyle, Assistant Corporation Counsel, asked the sizes of the hard alcohol to be sold. Mr. Patel stated that he intended to sell 750 ml, 375 ml, and 200 ml.

Mr. Boyle asked if those amounts equaled half pints and pints. Mr. Patel responded the amounts equaled pints, half pints, and fifths.

Mr. Boyle asked what type of alcohol would be sold at those sizes. Mr. Patel responded spirits.

Mr. Boyle asked if Mr. Patel had reached out to neighbors or if anyone had expressed concerns. Mr. Patel stated that some neighbors who received notices expressed support.

Commissioner Mwilambwe asked staff if there were any issues with the establishment. Assistant Police Chief Tim McCoy stated that the establishment had passed the most recent compliance check. Mr. Boyle stated that he was not aware of any issues with the establishment. He noted that the location was about six blocks from a denied application to sell spirits as well as about a mile from Green Top Grocery who also held an all types of alcohol liquor license.

Mr. Boyle stated that concerns were raised in reference to the trash from the establishment. Mr. Patel stated he was not aware of an issue but was willing to take steps to remedy the concern.

Mr. Boyle asked how long Mr. Patel had owned the establishment. Mr. Patel confirmed that January 2, 2022, would mark two years of ownership.

Commissioner Mwilambwe asked if anyone would like to speak for or against the application.

Allan Williams, owner of a duplex located at 802 E. Front St., after being sworn, addressed the Commission. He explained that one of his tenants had reached out to him and was concerned about the curb appeal, loitering, public intoxication, noise concerns with

drunk people yelling down the alleyway, and littering. He stated that he had similar concerns.

Mr. Patel stated that there were no concerns on his property.

Mr. Williams stated that the owner did not regularly mow his property either.

Mr. Boyle asked why Mr. Williams' tenant was not in attendance to testify. Mr. Williams responded that his tenant was at work and felt that she did not have the right to testify as a tenant verses an owner. He stated that he volunteered to attend the meeting to speak on her behalf.

Commissioner Mwilambwe asked if Mr. Williams was able to ascertain if the loitering and littering were a result of the applicant establishment. Mr. Williams responded that the litter included beer and wine bottles of types offered by the applicant establishment. He stated that in the past, during the summer, he would notice individuals drinking on property and smoking crack behind his garage after leaving the establishment.

Commissioner Mwilambwe asked if the garage was part of his residence. Mr. Williams responded that it was on the duplex's property which he rented out.

Mr. Patel stated that the concerns that were raised were not for his property, and he was unable to control patrons if they were on the street.

Mr. Williams told Mr. Patel that he had control when alcohol was purchased from his establishment.

Commissioner Mwilambwe reminded Mr. Williams to address the Commission not the applicant. Commissioner Mwilambwe then asked if there was anyone additional who would like to speak for or against the application. No additional individuals came forward.

Mr. Patel stated that it was difficult to determine that those loitering and littering came from his establishment.

Council Member Meister made a motion, seconded by Council Member Mwilambwe, that the item be forwarded to Council with a positive recommendation.

Commissioner Mwilambwe directed the Clerk to call the roll, which resulted in the following:

AYES: Mwilambwe, Meister

Motion carried.

Commissioner Mwilambwe closed the public hearing at 4:36 p.m.

The following item was presented:

Item 5.C. Consideration and action on an Application from Jay Sadhimma Three, LLC, d/b/a Crave Hot Dogs and BBQ, to be located at 2401 E. Oakland Ave., Unit B requesting a Class RAS (Restaurant, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 4:37 p.m.

Rich Marvel, Attorney on behalf of the Applicant, after being sworn, addressed the Commission. He explained that the space was previously a nail salon and that the owner would complete a \$500,000 remodel of the space to bring in the dine-in franchise

establishment. He stated that there would likely be 4 to 6 employees with a local general manager. He provided background of Viren Nayi's, Owner of the Jay Sadhimaa Three, LLC, experience with liquor licenses noting Mr. Nayi owned the neighboring Shell Gas Station that held a package liquor license as well as another location under another entity in Warrenville. He noted that neither location had liquor violations. He stated that the hours of operation would be 11:00 a.m. to 10:00 p.m.

Commissioner Meister asked if the applicant would apply for a video gaming license. Mr. Marvel responded that they were aware of the current video gaming waitlist and that the applicant may consider applying for video gaming in the future.

Commissioner Meister asked if staff would be BASSET trained. Mr. Marvel stated that all employees would be BASSET trained.

Commissioner Mwilambwe asked the approximate number of employees. Mr. Marvel stated that they expected 4 to 6 employees but that it was dependent on if State Farm Insurance returned in-office as it was in close proximity.

Commissioner Meister asked for a confirmation on the establishment's capacity. Mr. Marvel stated that no final certificate of occupancy had been issued, but that according to the floorplan, there would be 36-40 seats. He noted that the Fire Marshal had not provided an official capacity.

Mr. Boyle asked believed that the business was at the beginning phase of the planning process. Mr. Marvel stated that with such a significant remodel, his client sought to obtain a liquor license before renovation.

Commissioner Mwilambwe confirmed that the overall size of the building would not change. Mr. Marvel confirmed it was an internal remodel.

Mr. Boyle asked about the number of parking spaces available. Mr. Marvel responded that he believed that there were 10 spaces in front of the unit.

Viryn Nai, Owner of Jay Sadhimaa Three, LLC, after being sworn, addressed the Commission.

Mr. Boyle asked Mr. Nayi how long he had owned the Shell Gas Station. Mr. Nayi responded that March would be one year of business.

Mr. Boyle asked Mr. Nayi where he resided and if there was a manager that resided in Bloomington. Mr. Nayi responded that he lived in Chicago but that Drew Patel, General Manager, resided in McLean County.

Mr. Boyle asked Mr. Nayi the nature of his other businesses. Mr. Nayi responded that he owned a liquor store in Warrenville and a gas station in Sandwich, IL.

Mr. Boyle asked if there had been liquor violations at either location. Mr. Nayi stated that there had not.

Mr. Boyle then asked how long Mr. Nayi had owned the other establishments. Mr. Nayi stated that he owned the location in Warrenville for five years.

Mr. Boyle asked for confirmation of the seating capacity. Mr. Nayi confirmed the seating capacity as 36 to 40 individuals.

Commissioner Mwilambwe confirmed the general manager of the applicant restaurant

lived in McLean County. Mr. Nayi confirmed.

Council Member Meister made a motion, seconded by Council Member Mwilambwe, that the item be forwarded to Council with a positive recommendation.

Mr. Boyle reminded the applicant that all licenses are contingent upon building, health, and safety code compliance as well as zoning code.

Commissioner Mwilambwe directed the Clerk to call the roll, which resulted in the following:

AYES: Mwilambwe, Meister

Motion carried.

Commissioner Mwilambwe closed the public hearing at 4:49 p.m.

Old Business

No Old Business was discussed.

New Business

No New Business was discussed.

Executive Session

No Executive Session was had.

Adjournment

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, that the meeting be adjourned.

Motion carried unanimously (Viva Voce).

The meeting adjourned at 4:50 p.m.

CITY OF BLOOMINGTON



Mboka Mwilambwe, Liquor Commissioner

ATTEST



Amanda Stutsman, Deputy City Clerk

