



MINUTES
LIQUOR COMMISSION - REGULAR SESSION
TUESDAY, OCTOBER 8, 2024, 4:00 PM

The Liquor Commission convened in regular session at 4:00 p.m., October 8, 2024. Commissioner Meister called the meeting to order.

Roll Call

Attendee Name	Title	Status
Lindsey Meister	Commissioner	Present
Mboka Mwilambwe	Commissioner	Absent

Staff Advisors

Attendee Name	Title	Status
Amanda Stutsman	Deputy City Clerk	Present
George Boyle	Asst. Corporation Counsel	Present
Chris McAllister	Building Official	Present
Paul Williams	Asst. Police Chief	Absent
Chad Wamsley	Asst. Police Chief	Present

Public Comment

Commissioner Meister read a public comment statement of procedure. No in-person public comment was received. Emailed public comment was received by Alpesh Patel.

Consent Agenda

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

Commissioner Meister approved the Consent Agenda as presented.

Item 4.A. Consideration and Action on Approving the Minutes of the September 10, 2024, Regular Liquor Commission Meeting. (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. Public Hearing and Action on an Application from Jay Sathimaa Two, LLC, d/b/a Bloomington Shell, located at 2401 E. Oakland Ave., Requesting Approval of a Change in Classification from a Class GPBS (Gas Station Grocery Convenience Store, Beer & Wine Only, and Sunday Sales) Liquor License to a Class GPAS (Gas Station Grocery Convenience Store, All Types of Alcohol, and Sunday Sales) Liquor License.

Commissioner Meister opened the Public Hearing at 4:01 p.m.

Viren Nayi, Owner of Bloomington Shell, after being sworn, addressed the Commission.

Commissioner Meister asked whether everything would remain the same. Mr. Nayi stated that everything would remain the same, but shelving would be adjusted to increase liquor stock. He explained the liquor would be on shelves, behind, and in front of the cashier counter.

Commissioner Meister asked whether hours would remain the same and whether employees were BASSET certified. Mr. Nayi stated that hours would remain the same and that staff were BASSET certified. He stated that any that were not certified would be trained.

George Boyle, Asst. Corporation Counsel, asked how long Mr. Nayi had been operating the business. Mr. Nayi stated he had been the owner since March 2021. Mr. Boyle asked whether Mr. Nayi was aware of the floor of limitations on the advertisement of alcohol. Mr. Nayi stated that he was not familiar. Mr. Boyle explained that City Code Chapter 6, Section 1 contained requirements for convenience stores.

Mr. Boyle then asked if the business would continue to operate as a convenience store. Mr. Nayi answered yes.

Mr. Boyle asked whether the business would turn primarily into a liquor store. Mr. Nayi answered no.

Mr. Boyle asked what size of alcohol would be served. Mr. Nayi stated the authorized amounts would be served but did not give specific sizes. Mr. Boyle asked whether half pints and 750 mL would be served. Mr. Nayi answered yes. Mr. Boyle asked whether larger, 1.5L amounts would be served. Mr. Nayi stated that they would not be served as they were not a full liquor store, but a convenience store.

Commissioner Meister asked whether single servings would be served. Mr. Nayi answered yes.

Chad Wamsley, Asst. Police Chief, asked about the size of the alcohol section. Mr. Nayi restated liquor would be on shelves, behind, and in front of the cashier counter. Asst. Police Chief Wamsley asked if only beer and wine were served. Mr. Nayi answered that currently only beer and wine were served.

Mr. Boyle asked whether more space than present would be devoted to alcohol sales. Mr. Nayi answered that space would remain the same, but shelving and items at the front of the cashier counter would be rearranged so the cashier could monitor the alcohol section. Mr. Boyle asked whether there would be an increased percentage of floor space dedicated to alcohol sales. Mr. Nayi stated that the majority of the space would be dedicated to convenience store items.

Staff had no additional questions.

Commissioner Meister asked if there was anyone in the audience present to speak for or against the item. No one came forward.

Commissioner Meister closed the Public Hearing at 4:07 p.m.

Commissioner Meister positively recommended the Item to Council as presented.

The following item was presented:

Item 5. B. Public Hearing and Action on an Application from Rice N Spice Indian Grill, Inc., located at 110 W. Washington St., 1st Floor, Requesting Approval of the Creation of a Class RAS (Restaurant, All Types of Alcohol, and Sunday Sales) Liquor License.

Commissioner Meister opened the Public Hearing at 4:08 p.m.

Manoj Tamang, Owner of Rice N Spice Indian Grill, Inc., after being sworn, addressed the Commission. Mr. Tamang stated that the restaurant opened the previous week, and they requested a liquor license to enhance the experience of the customers.

Commissioner Meister asked Mr. Tamang to describe the business. Mr. Tamang described the business as a fine dining restaurant that served food and that customers would enjoy liquor with meals.

Commissioner Meister asked whether the restaurant was dine-in only. Mr. Tamang answered yes.

Commissioner Meister asked who would be managing the restaurant. Mr. Tamang stated that he and his wife, Puja Rani, would manage the restaurant.

Commissioner Meister asked if staff were BASSET certified. Mr. Tamang answered yes.

Commissioner Meister asked about the hours of operation. Mr. Tamang stated that they were open Monday through Sunday 11:00 a.m. to 3:00 p.m., reopened at 4:30 p.m. to 10:00 p.m., but hope to open morning to night in the future.

Commissioner Meister asked about the capacity of the establishment. Mr. Tamang stated that the capacity would be 164 people.

Asst. Police Chief Wamsley and Mr. Boyle asked whether they planned to extend beyond 10:00 p.m. hours. Mr. Tamang stated that many establishments Downtown stayed open until 2:00 a.m. and that, in the future, they planned to stay open serving food for takeout until 2:00 a.m. but would stop selling alcohol at 10:00 p.m.

Mr. Boyle asked whether Mr. Tamang had any experience at establishments with liquor licenses. Mr. Tamang stated that he had experience at a restaurant in Chicago, but this venture would be his first time with an establishment selling liquor. Mr. Boyle asked if they were renting the space. Mr. Tamang stated they were renting, and the space was owned by Vicente Adame.

Staff had no additional questions.

Commissioner Meister asked if there was anyone in the audience present to speak for or against the item. No one came forward.

Commissioner Meister closed the Public Hearing at 4:15 p.m.

Commissioner Meister positively recommended the Item to Council as presented.

The following item was presented:

Item 5. C. Public Hearing and Action on an Application from Kobe Revolving Sushi Bar, LLC, located at 1500 E. Empire St., Suite A1, Requesting Approval of the Creation of a Class RBS (Restaurant, Beer & Wine Only, and Sunday Sales) Liquor License.

Commissioner Meister opened the Public Hearing at 4:16 p.m.

Vivian Kong Doctora, co-owner of Kobe Revolving Sushi Bar LLC, after being sworn, addressed the Commission. Mrs. Kong Doctora stated the restaurant would serve sushi on a conveyor belt where customers could choose items. She explained there would also be a boba tea station available.

Commissioner Meister asked about the capacity of the establishment. Mrs. Kong Doctora stated the capacity would be 110 people.

Commissioner Meister asked whether the hours listed on the application were correct. Mrs. Kong Doctora answered yes.

Commissioner Meister asked whether staff were BASSET certified. Mrs. Kong Doctora stated that she must renew hers, but Eric Chen and the General Manager were certified and that all employees serving alcohol would be trained.

Mr. Boyle asked if any owner had worked for an establishment with a liquor license. Eric Chen, co-owner of Kobe Revolving Sushi Bar LLC, after being sworn, addressed the Commission. Mr. Chen stated that he owned Kobe Hibachi Steakhouse & Sushi and held a liquor license for 13 years.

Staff had no additional questions.

Commissioner Meister asked if there was anyone in the audience present to speak for or against the item. No one came forward.

Commissioner Meister closed the Public Hearing at 4:17 p.m.

Commissioner Meister positively recommended the Item to Council as presented.

The following item was presented:

Item 5.D. First Appearance on a Citation Issued to TVEO Corporation, d/b/a Eric's Too, located at 921 Maple Hill Rd., for Violating Chapter 6, Section 26(a) of the Bloomington City Code Relating to Selling Alcohol to a Minor.

Mr. Boyle noted the compliance check by the Bloomington Police Department on August 29, 2024. He reported that the establishment sold alcohol to a minor and it was their second violation. He noted the establishment admitted to the violation and paid a fine of \$1,000.

The following item was presented:

Item 5.E. First Appearance on a Citation Issued to Fiesta Ranchera of IL, Inc., d/b/a Fiesta Ranchera #3, located at 1500 E. Empire St., for Violating Chapter 6, Section 26(a) of the Bloomington City Code Relating to Selling Alcohol to a Minor.

Mr. Boyle noted the compliance check by the Bloomington Police Department on August 29, 2024. He reported that the establishment sold alcohol to a minor and it was their second violation. He noted the establishment admitted to the violation and paid a fine of \$1,000.

The following item was presented:

Item 5. F. First Appearance on a Citation Issued to GS Partners, Inc., d/b/a Ride the Nine/Shooters Lounge, located at 503 N. Prospect Rd., Unit 304, for Violating Chapter 6, Section 27(b) of the Bloomington City Code Relating to allowing a minor in a tavern, and Chapter 6, Section 26(a) of the Bloomington City Code Relating to Selling Alcohol to a Minor.

Mr. Boyle noted the compliance check by the Bloomington Police Department on August 29, 2024. He reported that the establishment allowed a minor into a tavern and then sold alcohol to that minor resulting in two violations. He reported the establishment admitted to the violations and paid a fine of \$1,000.

The following item was presented:

Item 5.G. Continued Appearance on a Citation Issued to JL Palma, LLC, d/b/a Venue 309, located at 1611 Morrissey Dr. Unit 2, for Violating Chapter 6, Section 102A of the Bloomington City Code Relating to Sale of Alcohol Without a License and Chapter 6, Section

102 of the Bloomington City Code Relating to Failure to Seek Approval or Notify Regarding Change of Ownership.

Mr. Boyle explained there had been negotiations with Mr. Palma, Owner of JL Palma, LLC, and the sole employee, which held the permit for the license. Commissioner Meister noted no representative was present. Mr. Boyle stated that the City would file an amended complaint to hold Mr. Palma personally liable for fines as JL Palma, LLC, appears to be defunct. He stated it would appear at the November 12, 2024, Liquor Commission meeting.

Old Business

The following item was presented:

Item 6. A. Report on Resolution of Complaint & Citation of Braize, LLC d/b/a Empire Coffee, located at 1406 E. Empire St.

Mr. Boyle reminded the Commission that in March 2024, a two-count complaint was filed, which stated the business was not operating as required by its restaurant license and the business violated the City Code by operating with a liquor license primarily as a video gaming café. He reported both matters were settled with an agreement resulting in a dismissal of the liquor complaint and continuation of their video game license. He reported the establishment paid a fine of \$10,000, agreed to add menu items akin to full meals that would be found in a restaurant to meet the restaurant classification requirement, and would provide the City with monthly income statements of video gaming and non-video gaming revenue. Mr. Boyle informed the Commission the matter was sent to the Mayor and was expected to be dismissed pursuant to the terms of the agreement.

New Business

No New Business was discussed.

Adjournment

Commissioner Meister adjourned the meeting.

The Meeting Adjourned at 4:24 p.m.

CITY OF BLOOMINGTON

Lindsey Meister

Lindsey Meister, Commissioner

Amanda Stutsman

Amanda Stutsman, Deputy City Clerk

