

MINUTES OF THE BLOOMINGTON LIQUOR COMMISSION

October 8, 2013

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Kevin Adams and Helen Hester to allow moderate consumption of alcohol at their February 8, 2014, wedding reception to be held at Miller Park Pavilion. Present at the hearing were Liquor Commissioners Tari Renner, Steve Stockton, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Brendan Heffner, Police Chief and Kenneth Bays, Acting Asst. Police Chief, and Tracey Covert, City Clerk; and Helen Hester, bride and request representative.

Commissioner Renner opened the Public Comment section of the meeting. No one came forward to address the Commission.

Commissioner Renner opened the liquor hearing and requested that the requestor's representative address this request. Helen Hester, bride, addressed the Commission. Her wedding was scheduled for February 8, 2014 at the Miller Park Pavilion. She planned to invite 225 guests. The Chateau located at 1601 Jumer Dr. would be retained to provide the food and liquor service, which would be limited to beer and wine only. The reception would start at 4:00 p.m. The Miller Park Pavilion must be vacated by 11:00 p.m.

Motion by Commissioner Stockton, seconded by Commissioner Jordan that the request of Kevin Adams and Helen Hester to allow moderate consumption of alcohol at the Miller Park Pavilion for their February 8, 2014 wedding be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's October 28, 2013 Consent Agenda. He encouraged Ms. Hester to attend same.

There being no further business before the Commission, the meeting recessed at 4:05 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Derek Logue and Megan Holzhauer to allow moderate consumption of alcohol at their December 21, 2013, wedding reception to be held at Miller Park Pavilion. Present at the hearing were Liquor Commissioners Tari Renner, Steve Stockton, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Brendan Heffner, Police Chief and Kenneth Bays, Acting Asst. Police Chief, and Tracey Covert, City Clerk; and Luci Peckmann, mother of the bride and request representative.

Commissioner Renner opened the liquor hearing and requested that the requestor's representative address this request. Luci Peckmann, mother of the bride, addressed the

Commission. Her daughter's wedding was scheduled for December 21, 2013 at the Miller Park Pavilion. She planned to invite 170 guests. Times Past Inn located at 1216 Towanda Ave. would be retained to provide food, (buffet dinner), and liquor service, which would be limited to beer and wine only. The reception would start at 5:00 p.m. The Miller Park Pavilion must be vacated by 11:00 p.m.

Motion by Commissioner Tompkins, seconded by Commissioner Stockton that the request of Derek Logue and Megan Holzhauer to allow moderate consumption of alcohol at the Miller Park Pavilion for their December 21, 2103 wedding be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's October 28, 2013 Consent Agenda. He encouraged Ms. Peckmann to attend same.

There being no further business before the Commission, the meeting recessed at 4:06 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order regarding the notification by Ozark, Inc., d/b/a Ozark House, located at 704 S. McGregor, currently holding an RAS liquor license, which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Steve Stockton, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel; Brendan Heffner, Police Chief and Kenneth Bays, Acting Asst. Police Chief, and Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and noted that there had been a change of corporate officer. The Liquor Control Commission requires that a License holder inform the municipality and obtain a letter from same stating that the municipality had been informed and the license remains in force.

Tracey Covert, City Clerk, addressed the Commission. She informed them that Larry Weaver, President and Connie Weaver, Vice President, were the corporate officers. A letter had been provided to the Liquor Control Commission.

Motion by Commissioner Stockton, seconded by Commissioner Tompkins to accept the change of corporate officer at Ozark Inc., d/b/a Ozark House, located at 704 S. McGregor, currently holding an RAS liquor license; said license remains in force.

Motion carried, (viva voce).

There being no further business before the Commission, the meeting recessed at 4:06 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order regarding the application of Luther Oaks, Inc., d/b/a Luther Oaks, located at 601 Lutz Rd., requesting an RAS liquor license, which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor

Commissioners Tari Renner, Steve Stockton, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel; Brendan Heffner, Police Chief and Kenneth Bays, Acting Asst. Police Chief; and Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and noted that there had been a change of corporation.

Commissioner Stockton questioned the genesis of this application.

Tracey Covert, City Clerk, addressed the Commission. City staff had been informed last month that a new corporation had been formed. The corporate officers for Luther Senior Living of Illinois, Inc., (current liquor license holder), were the same for Luther Oaks, Inc. Two (2) local Directors had been added to the new corporation: John Kibler and Herb Sieg.

Commissioner Tompkins expressed his opinion that it would have been preferable to an applicant representative present at the hearing.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that that the application by Luther Oaks, Inc., d/b/a Luther Oaks, located at 601 Lutz Rd., requesting an RAS liquor license, which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved contingent upon compliance with life safety codes.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's October 28, 2013 Consent Agenda.

There being no further business before the Commission, the meeting recessed at 4:09 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order regarding the application of Demir Corporation, d/b/a Ephesus Restaurant, located at 1406 E. Empire St., requesting an RBS liquor license, which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Steve Stockton, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel; Brendan Heffner, Police Chief and Kenneth Bays, Acting Asst. Police Chief; and Tracey Covert, City Clerk; and Sakin Demir and Matt Demir, owner/operator and Applicant representatives.

Commissioner Renner opened the liquor hearing and requested that the Applicants address this application. Matt Demir, Applicant representative, addressed the Commission. He would act as Sakin Demir, his father's translator.

Commissioner Renner noted that the request was for a beer and wine only liquor license. He questioned the business hours. Mr. Demir provided the business hours: Sunday – 11:00 a.m. until 8:00 p.m.; Monday through Thursday – 11:00 a.m. until 9:00 p.m.; and Friday and Saturday – 11:00 a.m. until 10:00 p.m.

Commissioner Stockton informed the Commission that he had visited the restaurant for lunch. He questioned if this would be Mr. Demir's first liquor license. Mr. Demir responded affirmatively. His father had been in the restaurant business for several years. Commissioner Stockton believed that Ephesus had been open and operating for two (2) years. Mr. Demir stated that customers had requested alcoholic beverages to accompany their food orders.

Commissioner Stockton noted that it was Ephesus' intention to serve alcohol with food. Mr. Demir responded affirmatively. The application was made based upon customers' requests.

Commissioner Stockton questioned Mr. Demir's previous liquor sales experience. Mr. Demir responded none.

Commissioner Stockton questioned if Mr. Demir was familiar with local and state liquor laws. Mr. Demir informed the Commission that his father had completed STEPS training (BASSET certified) at Heartland Community College.

Commissioner Tompkins questioned if the Applicant had read and understood Chapter 6. Alcoholic Beverages and state liquor laws. He also questioned if there would be any employees under the age of twenty-one (21). Mr. Demir responded negatively regarding the employees.

Commissioner Jordan noted that Mr. Demir had completed BASSET training. He recommended that all employees who serve alcohol be BASSET certified.

Commissioner Stockton questioned if the Demirs were from Turkey. Mr. Demir responded affirmatively, (Istanbul).

Motion by Commissioner Stockton, seconded by Commissioner Jordan that that the application by Demir Corporation, d/b/a Ephesus Restaurant, located at 1406 E. Empire St., requesting an RBS liquor license, which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week be approved contingent upon compliance with life safety codes.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's October 28, 2013 Consent Agenda. He encouraged them to attend same.

There being no further business before the Commission, the meeting recessed at 4:14 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order regarding the application of Everlong, Inc., d/b/a Daddios, located at 527 N. Main St., requesting a TAS liquor license, which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Steve Stockton, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel; Brendan Heffner, Police Chief and Kenneth Bays, Acting Asst. Police Chief; and Tracey Covert, City Clerk; and Gary Pagano, owner/operator and Applicant representative.

Commissioner Renner opened the liquor hearing and requested that the Applicant address this application.

Commissioner Stockton noted that this application involved a change of ownership. Commissioner Renner responded affirmatively.

Commissioner Tompkins questioned the issuance/creation of new liquor licenses in Downtown.

Commissioner Renner noted that the Council was concerned that the Downtown was at the saturation point. He restated that this would not be the creation of a new additional liquor license.

Commissioner Stockton cited discussions regarding the Downtown. He noted that there had been formal and informal moratoriums in the Downtown. This application gave the City the opportunity to reduce the number of taverns in the area. He acknowledged that there should not be any additional licenses.

Commissioner Renner stated that if there were issues then the City would close the establishment.

Commissioner Jordan questioned the current establishment's history. He noted that Daddios currently did not serve any food. Establishments that only served liquor may escalate issues in the Downtown.

Commissioner Renner noted that there had been a number of incidents in the Downtown which were impacted/influenced by a number of factors. He noted the Bassnectar/Illinois State University Homecoming occurred on the same weekend, (October 4 & 5, 2013). The Council did not want any more problems in the Downtown. He restated that this application involved a change of ownership.

Commissioner Jordan questioned Daddios' past history and also questioned if there had been any issues.

Commissioner Renner expressed his opinion that this could go both ways. An establishment with no problems could become problematic and a problematic establishment could become nonproblematic.

Commissioner Stockton stated that there were a number of issues in the Downtown. It was hard to pin these issues on one (1) establishment. He hoped that Mr. Pagano would continue Daddios good record.

Gary Pagano, owner/operator and Applicant representative, addressed the Commission. He had worked in the Downtown for fifteen (15) years. He had been employed at Daddios for ten (10) years. He had been the owner/operator of Reality Bites located at 414 N. Main St. for the past two (2) years. He hoped to continue his good efforts at both Daddios and Reality Bites.

Commissioner Renner informed Mr. Pagano that the Commission was being more aggressive. He cited the recent record fine levied on Chaser's located at 110 W. Washington St. The City was interested in good business owners.

Commissioner Stockton questioned the City's vision for the Downtown. He believed that there may be pressure on licensed established in the future. The Council was interested in the health and welfare of the Downtown.

Commissioner Tompkins questioned Daddios' operations. Mr. Pagano stated the business hours: Thursday – 8:00 p.m. until 1:00 a.m. and Friday and Saturday, 7:00 p.m. until 2:00 a.m.

Commissioner Renner questioned if there would be any changes. Mr. Pagano stated that there were no planned changes. He hoped to retain the existing staff. He planned to move the staff from Reality Bites, Daddios and Elroy's amongst the three (3) establishments.

Commissioner Jordan questioned if each establishment would have its own individual manager. Mr. Pagano responded affirmatively.

George Boyle, Asst. Corporation Counsel, restated that there were no major changes planned at Daddios. Mr. Pagano responded affirmatively.

Commissioner Stockton questioned if there were any conditions placed upon the current license holder. Tracey Covert, City Clerk, addressed the Commission. There were no conditions placed upon the existing liquor license.

Commissioner Renner opened the hearing for public input. No one came forward to address the Commission.

Motion by Commissioner Stockton, seconded by Commissioner Jordan that that the application by Everlong, Inc., d/b/a Daddios, located at 527 N. Main St., requesting a TAS liquor license, which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved contingent upon compliance with life safety codes.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's October 28, 2013 Consent Agenda. He encouraged Mr. Pagano to attend same.

There being no further business before the Commission, the meeting recessed at 4:26 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order regarding the application of Twostep, Inc., d/b/a Elroy's, located at 102 W. Washington St., requesting a TAS liquor license, which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Steve Stockton, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel; Brendan Heffner, Police Chief and Kenneth Bays, Acting Asst.

Police Chief; and Tracey Covert, City Clerk; and Gary Pagano, owner/operator and Applicant representative.

Commissioner Renner opened the liquor hearing and requested that the Applicant address this application.

Commissioner Stockton noted that this application involved a change of ownership. Commissioner Renner responded affirmatively.

Commissioner Tompkins questioned the issuance/creation of new liquor licenses in Downtown.

Commissioner Renner noted that the Council was concerned that the Downtown was at the saturation point. He restated that this would not be the creation of a new additional liquor license.

Commissioner Stockton cited discussions regarding the Downtown. He noted that there had been formal and informal moratoriums in the Downtown. This application gave the City the opportunity to reduce the number of taverns in the area. He acknowledged that there should not be any additional licenses.

Commissioner Renner stated that if there were issues then the City would close the establishment.

Commissioner Jordan questioned the current establishment's history.

Commissioner Renner noted that there had been a number of incidents in the Downtown which were impacted/influenced by a number of factors. He noted the Bassnectar/Illinois State University Homecoming occurred on the same weekend, (October 4 & 5, 2013). The Council did not want any more problems in the Downtown. He restated that this application involved a change of ownership.

Commissioner Jordan questioned Elroy's past history and also questioned if there had been any issues.

Commissioner Renner expressed his opinion that this could go both ways. An establishment with no problems could become problematic and a problematic establishment could become nonproblematic.

Commissioner Stockton stated that there were a number of issues in the Downtown. It was hard to pin these issues on one (1) establishment. He hoped that Mr. Pagano would continue Elroy's good record.

Gary Pagano, owner/operator and Applicant representative, addressed the Commission. He had worked in the Downtown for fifteen (15) years. He had been employed at Daddios for ten (10) years. He had been the owner/operator of Reality Bites located at 414 N. Main St. for the past two (2) years. He hoped to continue his good efforts at Elroy's, Daddios and Reality Bites.

Commissioner Renner informed Mr. Pagano that the Commission was being more aggressive. He cited the recent record fine levied on Chaser's located at 110 W. Washington St. The City was interested in good business owners.

Commissioner Stockton questioned the City's vision for the Downtown. He believed that there may be pressure on licensed established in the future. The Council was interested in the health and welfare of the Downtown.

Commissioner Renner questioned Elroy's operations. Mr. Pagano stated the business hours: Sunday through Thursday – 11:00 a.m. until 1:00 a.m. and Friday and Saturday, 11:00 a.m. until 2:00 a.m.

Commissioner Tompkins questioned the license classification. Tracey Covert, City Clerk, addressed the Commission. The application was for a TAS liquor license. The current license holder, We Can't Golf, Inc. had applied for an RAS, (Restaurant, All types of alcohol, Sunday sales), which was approved but never taken out.

George Boyle, Asst. Corporation Counsel, questioned Mr. Pagano's interest in the corporation. Mr. Pagano stated 100%. He was the sole stockholder.

Mr. Boyle noted that a camera system had recently been installed at Elroy's. Mr. Pagano expressed his belief in applying a preventive approach.

Commissioner Stockton questioned BASSET certification. Mr. Pagano informed the Commission that Elroy's was in compliance.

Commissioner Renner questioned if there would be any changes. Mr. Pagano stated that there were no planned changes. He hoped to retain the existing staff. He planned to move the staff from Reality Bites, Daddios and Elroy's amongst the three (3) establishments.

Commissioner Jordan questioned if each establishment would have its own individual manager. Mr. Pagano responded affirmatively.

Commissioner Stockton questioned if there were any conditions placed upon the current license holder. Tracey Covert, City Clerk, addressed the Commission. There were no conditions placed upon the existing liquor license.

Commissioner Renner opened the hearing for public input. No one came forward to address the Commission.

Motion by Commissioner Stockton, seconded by Commissioner Jordan that that the application by Twostep, Inc., d/b/a Elroy's, located at 102 W. Washington St., requesting a TAS liquor license, which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved contingent upon compliance with life safety codes.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's October 28, 2013 Consent Agenda. He encouraged Mr. Pagano to attend same.

There being no further business before the Commission, the meeting recessed at 4:30 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order regarding the application of Dyno Liquor, Inc., d/b/a Empire Food & Liquor, located at 1102 N. Hershey Rd., requesting a PAS liquor license, which allows the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Steve Stockton, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel; Brendan Heffner, Police Chief and Kenneth Bays, Acting Asst. Police Chief; and Tracey Covert, City Clerk; and Mukhtiar "Hap" Singh, owner/operator and Applicant representative.

Commissioner Renner opened the liquor hearing and requested that the Applicant address this application.

Commissioner Stockton noted that this application involved a change of ownership. Commissioner Renner responded affirmatively.

George Boyle, Asst. Corporation Counsel, questioned the current liquor license classification. Tracey Covert, City Clerk, noted that CFMI, Inc. held a GPAS, (Gasoline, Packaged, All types of alcohol, Sunday sales), liquor license.

Commissioner Stockton stated that another GPAS liquor license would be retired. Ms. Covert noted that the Applicant had stated that the gasoline pumps would be removed.

Hap Singh, owner/operator and Applicant representative, addressed the Commission. He cited his twenty (20) years of experience with liquor sales. He had held a number of liquor licenses. Empire's staff was well trained.

Commissioner Jordan cited the recent requirement for BASSET certification. Mr. Singh noted the store staff's experience. Tracey Covert, City Clerk, restated that BASSET certification was required by City Code.

Commissioner Tompkins questioned pedestrian traffic to the store.

Commissioner Renner opened the hearing for public input. No one came forward to address the Commission.

Commissioner Stockton questioned the building's owner. Mr. Singh stated that the building's owner resided out of state, (*G. Robert Mecherle, lessor to CFMI, Inc., lessee*). His company planned to sublease the store.

Mr. Boyle informed Mr. Singh that the manager plus one (1) staff person who was on premise must be BASSET certified. He noted that Vina Patel was listed as the corporate president. Ms.

Patel resided in Schaumburg, IL. Mr. Singh noted that he was the manager and had an apartment in the City.

Commissioner Stockton noted that the Commission had been provided with an Agreement for the Purchase and Sale of a Business between Abbas Dossaji and Dyno Liquor, Inc. and Sublease between CFMI, Inc. and Dyno Liquor, Inc. He questioned the current liquor license holder and the current building owner. He requested that Mr. Singh provide names and addresses for both. Mr. Singh agreed to provide this information to the City Clerk's Office.

Mr. Boyle addressed the copy of the lease. Commissioner Stockton requested a copy of the original lease between the building owner and CFMI, Inc. Commissioner Tompkins questioned if the original lease allowed the lessee to sublease the property.

Commissioner Tompkins addressed the Applicant's Emergency Call In Listing. He noted that four (4) individuals were listed at the same residential address. Mr. Singh stated that they were his brothers.

Commissioner Renner restated that the City needed certain documentation. In addition, there was the new requirement regarding BASSET certification.

Motion by Commissioner Stockton, seconded by Commissioner Jordan that that the application by Dyno Liquor, Inc., d/b/a Empire Food & Liquor, located at 1102 N. Hershey Rd., requesting a PAS liquor license, which allows the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week be approved contingent upon compliance with life safety codes with the following conditions: 1.) removal of the gasoline pumps and 2.) receipt of the lease between the building owner and CFMI, Inc. (including addressing information for both parties).

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's October 28, 2013 Consent Agenda. He encouraged Mr. Singh to attend same.

There being no further business before the Commission, the meeting adjourned at 4:40 p.m.

Respectfully,

Tracey Covert, CRM, CMC, RMC
City Clerk