



MINUTES OF THE BLOOMINGTON
LIQUOR COMMISSION
July 12, 2016, 4:00 PM

1. Call to order

The regular meeting of the Liquor Commission was called to order by Commissioner Renner at 4:03 p.m. on July 12, 2016.

2. Roll Call

Tari Renner, Jim Jordan and Sue Feldkamp, Commissioners; George Boyle, Asst. Corporation Counsel; Asst. Police Chief Clay Wheeler; Bob Coombs, Building Official, and Renee Gooderham, Chief Deputy Clerk.

3. Public Comment

Commissioner Renner opened the meeting to receive Public Comment. No individuals provided comments during the meeting.

The following was presented:

4. Consideration of approving the Commission minutes of June 14, 2016 and June 21, 2016.

Motion by Commissioner Jordan, seconded by Commissioner Feldkamp, to approve the Meeting minutes as presented of June 14, 2016 and June 21, 2016.

Commissioner Renner directed the Clerk to call the Roll.

Ayes: Commissioners Jordan, Feldkamp and Renner.

Nays: None.

Motion carried.

Commissioner Renner stated a change would be made in the order of the meeting schedule. The Bloomington Criterium would be discussed after the weddings.

The following was presented:

5. Consideration of the request from Nicholas Birky & Gwen Robinson to allow moderate consumption of alcohol at their September 3, 2016 rehearsal dinner and at their September 4, 2016 wedding reception to be held at Davis Lodge.

Nicholas Birky and Gwen Robinson addressed the Commission. They stated that Destihl Brewery would cater the reception. Beer and wine only would be served.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan to recommend at the August 8, 2016 City Council meeting, approval of the request from Nicholas Birky & Gwen Robinson to allow moderate consumption of alcohol at their September 3, 2016 rehearsal dinner and at their September 4, 2016 wedding reception to be held at Davis Lodge.

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

Ayes: Commissioners Jordan, Feldkamp and Renner.

Nays: None.

Motion carried.

The following was presented:

- 6. Consideration of the request from Scott Todd & Emily Markwood to allow moderate consumption of alcohol at their December 17, 2016 wedding reception to be held at Miller Park Pavilion.**

Alan Markwood, the bride's father, addressed the Commission. Mr. Markwood stated that HyVee would cater the reception. Beer and wine only would be served.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan to recommend at the August 8, 2016 City Council meeting, approval of the request from Scott Todd & Emily Markwood to allow moderate consumption of alcohol at their December 17, 2016 wedding reception to be held at Miller Park Pavilion.

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

Ayes: Commissioners Jordan, Feldkamp and Renner.

Nays: None.

Motion carried.

The following was presented:

- 7. Consideration of the request from Joshua Thompson & Shasta Ledford to allow moderate consumption of alcohol at their November 12, 2016 wedding reception to be held at Miller Park Pavilion.**

Shasta Ledford addressed the Commission. Ms. Ledford stated that Haynes on Main would cater the reception. Beer and wine only would be served.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan to recommend at the August 8, 2016 City Council meeting, approval of the request from Joshua Thompson & Shasta Ledford to allow moderate consumption of alcohol at their November 12, 2016 wedding reception to be held at Miller Park Pavilion.

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

Ayes: Commissioners Jordan, Feldkamp and Renner.

Nays: None.

Motion carried.

The following was presented:

- 8. Presentation by Bloomington Criterium for the August 27, 2016 bike race requesting suspension of portions of Chapter 6, Alcoholic Beverages, of the Bloomington City Code pertaining to possession of open alcohol in public on the date of their event for portions of downtown Bloomington.**

Commissioner Renner noted details of the Bloomington Criterium (Criterium) would be given at the July 25, 2016 City Council meeting.

Michael Gorman provided a brief overview to the Commission. He presented a map of the proposed zone for the event, marked Exhibit A. For the Annual Criterium Bike Race an open container area was desired on Main St. and Six Strings, located at 525 N Center St., as indicated on Exhibit A. Bag checks would be conducted at various crosswalks to assure alcohol does not enter or leave the designated fenced areas. Beer and wine only would be served in plastic cups to allow customers the ability to go outside the taverns. A wrist band would be available at each participating tavern. The goal was to increase business downtown.

Commissioner Jordan questioned whether beer and wine would be the only alcohol available. Mr. Gorman replied affirmatively for patrons wanting to leave the tavern's premises. Areas would be roped off where open containers were allowed.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan, to approve suspension of portions of Chapter 6, Alcoholic Beverages, of the Bloomington City Code pertaining to possession of open alcohol in public on the date of Bloomington Criterium's event for portions of downtown Bloomington.

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

Ayes: Commissioners Jordan, Feldkamp and Renner.

Nays: None.

Motion carried.

- 9. Consideration of the application of Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, located at 113 E Monroe, requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.**

Rich Marvel, attorney, and Cesar Castaneda, manager, for Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, addressed the Commission. Mr. Marvel stated the request was for an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week for Extravaganza Ballroom (Ballroom). The Ballroom's primary function would be a banquet hall for weddings, birthday parties and other private events. It was anticipated that revenue from alcohol would be approximately forty percent (40%) with the income from renting the facility at approximately sixty percent (60%). The license scope desired would allow the facility to be open seven (7) days a week until 2:00 a.m. Ninety to ninety-five percent (90% - 95%) of the events would close prior to midnight (12:00 a.m.).

Commissioner Renner stated no alcohol could be served after midnight. Council and the Police Department had concerns with an additional Downtown establishment staying open until 2:00 a.m. on Thursday, Friday and Saturday nights.

Assistant Chief Wheeler stated there were concerns for the number of people leaving the Downtown area at the same time. Police officers must deal with fights occurring and traffic concerns with the Downtown Shuttles.

Commissioner Renner questioned the effect on the officers should the Ballroom would have to close at 1:00 a.m. on Thursday, Friday and Saturday nights. Assistant Chief Wheeler stated all taverns close at 1:00 a.m. on Thursdays. It would depend on the number of participants in the Downtown area. Hundreds more would be a big concern.

Commissioner Renner questioned the capacity of the building. Mr. Castaneda stated that same had not been determined. Mr. Boyle suggested Mr. Coombs address same.

Mr. Coombs stated the project was brought to Building Safety as a Community Hall, which the Building Code listed as an A3 use, without food or drink service. If the square footage was over 12,000 and/or occupancy was over 300, sprinklers were required.

A Banquet Hall was an A2 use. The building was approximately 3000 square feet. The occupant load was 100. If the square footage was over 5000 square feet and/or occupancy was over 100, sprinklers were required.

Commissioner Renner stated that capacity would be 100 or less otherwise sprinklers would be required. Mr. Coombs answered affirmatively.

Mr. Boyle noted that the building was under construction, occupancy load could not be determined. Mr. Coombs stated the Fire Inspector was waiting on a floor plan with net square footage based on placement of tables and chairs.

Commissioner Jordan stated the applicants would need to make a decision on the type of facility desired for the building. Once determined, hours, capacity, building codes, etc. could be specified. No decision could be made now as there was not enough information. Commissioner Feldkamp agreed.

Mr. Marvel clarified the EAS license required sixty percent (60%) revenue to be generated from non-alcohol sales. Mr. Boyle stated EA licenses shall be issued and renewed only at premises where gross sales of admissions to entertainment events, or admission fees and/or rental of recreational sports equipment, constitute at least sixty percent (60%).

Mr. Boyle stated he would work with Mr. Marvel to clarify concerns. Mr. Marvel stated he would work with Mr. Boyle to address concerns so the Liquor Commission would feel comfortable with the plans for the building.

Commissioner Jordan stated the building's purpose must be set and not changed. It would have to be a Banquet Hall that must have reservations, with occupancy pre-determined rather than becoming a building open to the Public and serving alcohol with no banquet. Mr. Marvel acknowledged his understanding.

Commissioner Feldkamp questioned the opening date. Mr. Castaneda stated it would depend on obtaining the liquor license.

Commissioner Renner stated the next Liquor Commission meeting would be August 9, 2016. Recommendation for approval could be brought to Council on August 22, 2016. That would be the earliest to obtain the license. Mr. Castaneda agreed with the time table.

Mr. Boyle had spoken with Mr. Coombs who believed the issues could be clarified by the next meeting, in terms of the permits, building safety issues and license issues. He suggested a motion to lay the license request over to August 9, 2016 Liquor Commission meeting.

Commissioner Renner stated he would not agree with staying open to 2:00 a.m. They must stop serving liquor by midnight (12:00 a.m.) and close by 1:00 a.m. He believed same would alleviate some Downtown concerns.

Commissioner Feldkamp thanked Mr. Castaneda for resubmitting an application. She questioned the BASSET (Beverage Alcohol Sellers and Servers Education) training. Mr. Castaneda stated he had taken the training and should receive the certificate soon. All employees would take the training before the opening of the Ballroom.

Commissioner Renner opened the meeting to receive public comments.

Jan Lancaster questioned parking and/or valet parking issues. She voiced concern for another establishment Downtown with a liquor license. There was concern for using the venue for karaoke or a band open to the public rather than a reserved party. Commissioner Renner questioned using the Market Street garage. Mr. Castaneda stated there have been no concerns with the valet or garage parking with potential clients.

Mr. Marvel stated the issues on parking and occupancy would be addressed at the next Liquor Commission meeting.

Assistant Chief Wheeler requested valet parking process details. Traffic could not be blocked while customers were dropping off their vehicles.

Motion by Commissioner Jordan, seconded by Commissioner Feldkamp, to lay over the consideration of the application of Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, located at 113 E Monroe, requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week to August 9, 2016 Liquor Commission meeting.

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

Ayes: Commissioners Jordan, Feldkamp and Renner.

Nays: None.

Motion carried.

10. Consideration of the application of Bloomington-Normal Sunrise Rotary Club, d/b/a Bloomington-Normal Sunrise Rotary Club, requesting a Limited Alcoholic Liquor License, Class LB, which would allow the selling and serving of beer and wine only by the glass for consumption at the Annual Brats and Bags event to be held on the August 5, 2016 from 3:00 to 10:00 p.m. on the 100 Block of Main St.

Amy O'Neal, Bloomington-Normal Sunrise Rotary Club's (BNSRC) Applicant representative, noted that this was the eighth (8th) year for the event. The fundraiser would benefit Midwest Food Bank. Previous years the NBSRC relied on current license holders to obtain a secondary liquor license. Liquor tickets would be sold at a booth and then redeemed for beer or wine only at the truck. The Bistro, located at 316 N. Main St., would assist with checking identification and issuing wrist bands. Individuals assisting with same were BASSET (Beverage Alcohol Sellers and Servers Education) certified.

Motion by Commissioner Jordan, seconded by Commissioner Feldkamp, that an LB Liquor License for Bloomington-Normal Sunrise Rotary Club, d/b/a Bloomington-Normal Sunrise Rotary Club, be approved contingent upon compliance with all health and safety codes.

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

Ayes: Commissioners Jordan, Feldkamp and Renner.

Nays: None.

Motion carried.

- 11. Consideration of the application of Amaravati, Inc., d/b/a Amaravati Indian Royal Cuisine, located at 407 N Hershey Rd., requesting a RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.**

Chandra Chitibomma, owner and proprietor, addressed the Commission. He noted that he had not previously held a liquor license. He began an online BASSET (Beverage Alcohol Sellers and Servers Education) certification.

Commissioner Jordan questioned video gaming. Mr. Chitibomma responded negatively.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan, that a RAS Liquor License for Amaravati, Inc., d/b/a Amaravati Indian Royal Cuisine, located at 407 N. Hershey Rd., be approved contingent upon compliance with all health and safety codes.

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

Ayes: Commissioners Jordan, Feldkamp and Renner.

Nays: None.

Motion carried.

- 12. Consideration of the application of MCTH, Inc., d/b/a Lucky Sevens located at 1804 S Hershey Rd Unit 9, currently holding 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, requesting expansion to 1804 S Hershey Rd Unit 10.**

Joe Dehn, attorney for Lucky Sevens, and Terry Harris, owner/operator, addressed the Commission. A new application had been filed requesting the liquor license extension to the unit next door. MCTH, Inc. had acquired a lease at 1804 S. Hershey Rd., Unit 10 to serve food from 6:00 a.m. to 9:00 p.m. Units 9 and 10 were connected by a double-door opening. This allowed 2500 square feet combined.

Commissioner Feldkamp questioned the gross revenue and alcohol fifty/fifty (50/50%) percentage. Mr. Harris stated initially the goal was sixty percent (60%) from the sale of alcohol. Since serving food a little over a month, the percentage was approximately fifty/fifty (50/50). Food advertising had not taken place. No issues were anticipated.

Commissioner Renner stated the license was a Tavern license; alcohol sales could be eighty percent (80%). The issue was Video Gaming (VG) receipts. Mr. Damon stated the numbers from food and beverage should show VG was not an issue as the business continues.

Commissioner Jordan questioned why a Restaurant license was not filed. Unit 10 was previously a restaurant and the square footage was being doubled. Mr. Damon believed the space addition was mischaracterized as adding a restaurant. They have added 1250 square feet that could be used for seating. The kitchen and food prep area were also contained in this space. Food items available were limited. Same could include breakfast items. The intent was to maintain the tavern atmosphere.

Commissioner Renner stated the Tavern license was ideal for their goals.

Commissioner Jordan stated the revenue from VG was at \$62,000 for the first five (5) months of the year. For the year, the revenue would be approximately \$120,000 for VG. Council was clear that VG could not be an establishment's primary revenue source. He questioned any increase in machines. Mr. Harris stated there would be no increase. Mr. Boyle noted there was only one (1) entity.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan, that the application of MCTH, Inc., d/b/a Lucky Sevens located at 1804 S Hershey Rd Unit 9, currently holding 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 expanded to include 1804 S Hershey Rd Unit 10, be approved contingent upon compliance with all health and safety codes.

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

Ayes: Commissioners Jordan, Feldkamp and Renner.

Nays: None.

Motion carried.

- 13. Consideration of a change of Officer position from Smashburger Acquisition Peoria, LLC, d/b/a Smashburger #1323, located at 1401 N Veterans Pkwy, currently holding 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. Changes are: Scott Crane, President and CEO, was replaced by Michael J Nolan, President and CEO.**

Commissioner Renner acknowledged the Officer Position changes from Smashburger Acquisition Peoria, LLC, d/b/a Smashburger #1323. He instructed the Clerk to address the appropriate letter to the State of Illinois Liquor Control Commission acknowledging same.

Commissioner Jordan requested changes to the wedding applications process. Mr. Boyle stated same would require a policy change with standardized criteria.

14. Adjournment

**Motion by Commissioner Jordan, seconded by Commissioner Feldkamp, to adjourn.
Time: 4:56 p.m.**

Motion carried, (viva voce).

Respectfully submitted for consideration,

Renee Gooderham, Chief Deputy Clerk