



**MINUTES
REGULAR LIQUOR COMMISSION MEETING
TUESDAY, JUNE 14, 2022, 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, June 14, 2022. 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
Amanda Stutsman	Deputy City Clerk	Present	
George Boyle	Asst. Corporation Counsel	Present	
Ken Bays	Assistant Police Chief	Present	
Chris McAllister	Building Official	Present	
Catherine Dunlap	Downtown Development Specialist	Absent	
Sahara Williams	Asst. to Deputy City Clerk	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.

No public comment was received in-person or via email.

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.

Commissioner Meister made a motion, seconded by Commissioner 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

Motion carried.

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.

Item 4.A. Consideration and action to approve the Minutes of the May 10, 2022, Regular Liquor Commission Meeting, as requested by the City Clerk Department. (Recommended Motion: The proposed Minutes be approved.)

Regular Agenda

The following item was presented:

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. Continued Sanctions Review Hearing on Violation #2022-014 issued to Violation Citation of Bill Hill, Inc. d/b/a Maguire's, located at 220 N. Center St., for Violating Section 37(e)(12) of Chapter 6 of the Bloomington City Code relating to past due food and beverage taxes, as requested by the Legal Department.

George Boyle, Asst. Corporation Counsel, provided a brief overview of the citation's status and noted that staff and the establishment were in the middle of an agreement. He then requested the item was tabled until the July 12, 2022, regularly scheduled Liquor Commission meeting.

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, to table until the July 12, 2022, regularly scheduled Liquor Commission meeting.

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

AYES: Mwilambwe, Meister

Motion carried.

The following item was presented:

Item 5.B. Public Hearing and action on a Request from Ralben, Inc. d/b/a Cadillac Jack's, located at 1507 S. Main Street, for a redefinition of premises for their Class TAPS (Tavern, All Types of Alcohol, Packaged and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 4:07 p.m.

William Bentley, Owner of Cadillac Jacks, after being sworn, addressed the Commission. He explained his intent to convert an existing 25' x 40' structure, which was within the currently fenced outdoor area, that was currently used for storage into a seasonal rentable space. He stated that the structure was approximately 5 feet from the primary building and located within the currently fenced in beer garden. He stated that it would include bathrooms and a full bar. Mr. Bentley stated the additional service area would provide better service to costumers.

Commissioner Meister confirmed with Mr. Bentley that the structure would have bathrooms and a full bar. She then asked the hours of operation for the bar within the converted structure. Mr. Bentley stated that it would be operational during the business's peak times, weekends, or when rented.

Commissioner Meister asked if staff would be BASSET trained. Mr. Bentley stated all staff would be trained.

Commissioner Meister asked if there would be live music in the event space. Mr. Bentley stated that the facility would not have live music. He added that it would not be large enough, and that it would only hold 4 to 5 tables, and a dart machine.

Commissioner Meister had no further questions.

George Boyle, Asst. Corporation Counsel, asked the additional capacity of the structure. Mr. Bentley stated that he had not received a final occupancy but, that the structure was 20' x 40' and he believed would have an approximate capacity of 20.

Chris McAllister, Building Official, confirmed minimal occupancy and believed it would be approximately 25. Mr. Bentley confirmed the capacity was 25 after reviewing the site plans.

Mr. McAllister noted that the structure was under construction at that time and that it still needed a final inspection for occupancy. Mr. Bentley reported that construction was paused while he awaited liquor approval.

Commissioner Mwilambwe asked if there was anyone present to speak for or against the application.

Kent Walker, Resident of 1614 S. Center St., after being sworn, addressed the Commission. He noted that he lived directly behind business. He then expressed concern with crowd noise of the live bands and that said bands continued to perform after 10:00 p.m. Mr. Walker stated he attended the meeting to better understand the request as he was worried that the additional expansion included an increased beer garden and stage. He stated that Mr. Bentley deserved the right to run his business as he saw fit and noted that Mr. Bentley did install a wall last year which lessened the crowd noise but, it did not help with band noise. Mr. Walker explained that he worked mornings and the late-night bands were a nuisance. He stated that he wanted to be a good neighbor and knew Bentley did as well.

Commissioner Mwilambwe asked Mr. Bentley to respond to Mr. Walker's comments and concerns.

Mr. Bentley stated he had installed a 15-foot wall as an effort to reduce noise. He confirmed that there was no expansion of outdoor area. He noted that he had. Mr. Bentley reported that Cadillac Jacks had been in business for over 30 years and that he had lived behind the establishment for 25 years and therefore understood the neighbors' concerns. He admitted that bands can run past 10:00 p.m., but that if neighbors called in a complaint, staff instantly tried to address it. He added that, recently, a rowdier crowd was present at night, and that they were lingering in the parking lot listening to their radios loudly. He assured the Commission that he does not condone that behavior and had employed one of Bloomington's Police officers to patrol the parking lot to combat the behavior. Mr. Bentley stated that he had spoken with Mr. Walker in the past and while he continued to try to work with the neighbors, he explained that he needed to run a business as well. He added that while they have performances inside Cadillac Jacks, he wanted to take advantage of the outside area as well, which originally prompted the installation of the sound curtains. He re-stated that the outside area would not increase, and that he would continue the efforts to reduce the outside noise with the aid of the Bloomington Police Department.

Commissioner Mwilambwe asked Mr. Bentley if he planned for music in the additional structure. Mr. Bentley stated that it would be an enclosed area, and that there is no room for live music.

Mr. Boyle asked if Cadillac Jacks had a 10:00 p.m. condition on their license for live music. Mr. Bentley stated that he believed there was a condition for either 10:00 p.m. or 10:30 p.m. Mr. Bentley added that over the past weekend, they had received a complaint around 10:30 p.m. or 10:45 p.m., and staff instantly shut down the live music.

Mr. Boyle informed Mr. Walker that if the noise condition was violated regularly, the neighbors should report it to the Commission.

Mr. Boyle noted that the subject of today's hearing was the additional structure. He then asked Mr. Bentley to confirm that the building would hold 25 people and that no live music would be played. Mr. Bentley responded affirmatively.

Commissioner Mwilambwe asked Mr. Bentley if the Commission had his commitment to continue to work with his neighbors. Mr. Bentley confirmed.

Commissioner Mwilambwe asked Mr. Walker if the neighbors felt that there was open communication with Mr. Bentley and that their concerns were addressed. Mr. Walker noted an instance where bands played until 1:00 a.m., however he agreed that Mr. Bentley tried to work with them. He reiterated his concerns with the live band noise.

Mr. Bentley stated that he would provide a copy of the plans to Mr. Walker.

Mr. Boyle reminded Mr. Bentley that if live bands played until 1:00 a.m., they were well past the condition on the license.

Commissioner Mwilambwe closed the public hearing at 4:22 p.m.

Commissioner Meister motioned, seconded by Commissioner Mwilambwe, to send the application with a positive recommendation to Council contingent upon Cadillac Jacks abiding by the 10:00 p.m. noise ordinance.

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

AYES: Mwilambwe, Meister

Motion carried.

The following item was presented:

Item 5.C. Consideration and action on an Application from Keldon, Inc., d/b/a Times Past Inn, located at 1216 Towanda Ave., requesting an approval of a change of ownership for their 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 4:23 p.m.

Julia Davis, Legal Representative for Jeffery Patterson, Applicant Buyer, and Arthur Donaldson, Current Owner, after being sworn, addressed the Commission separately.

Mrs. Davis explained that the item was a 100% stock transfer of ownership from Mr. Donaldson and his spouse to Mr. Patterson, her client. She stated that most of the application documents were on file since Times Past Inn held an existing liquor license.

Mr. Donaldson reported that he had successfully ran the establishment for the past 35 years and that, due to his health issues, was ready to retire. He explained that he found someone, Mr. Patterson, who was willing to continue to make the business successful.

Mr. Patterson explained that he retired from the Bloomington Fire Department after 30 years of service. He stated that he enjoyed cooking for the Fire Department staff and wanted to expand to serve customers. He noted that he had a silent partner, who had run Shannon's for many years, who would assist in the management of the establishment. Mr. Patterson explained that he did not intend to make many changes and would continue to run the neighborhood bar and restaurant similar to how Mr. Donaldson had.

Commissioner Meister asked if the hours of operation would remain the same. Mr. Donaldson stated that the establishment was open from 6:00 a.m. to 2:00 pm. For food service and that the bar open until 7:00 p.m.

Commissioner Meister confirmed with Mr. Donaldson if there was any live music. Mr. Donaldson confirmed that there was no live music currently.

Commissioner Meister asked if all employees serving alcohol would be BASSET trained. Mr. Patterson confirmed that all staff would be BASSET trained.

Commissioner Mwilambwe asked Mr. Patterson for clarification on silent partner. Mrs. Davis corrected Mr. Patterson's earlier statement and clarified that Mr. Jeffrey Patterson was the only purchaser and that there was no silent partner. She noted that the referenced individual was an employee, a cook. Mr. Patterson confirmed that the individual would be his employee.

Commissioner Mwilambwe asked for additional information on the employee. Mrs. Davis responded that the employee's name was Steve Patterson, Jeff Patterson's uncle, and he would be the Head Chef. Mr. Donaldson explained that Steve Patterson was currently employed at Times Past Inn as the Head Cook.

Commissioner Mwilambwe asked the current number of staff. Mr. Donaldson reported that there were 15 or 16 employees plus two bartenders. He explained that the bartenders rotated shifts and that only one was present per shift. He noted that the establishment was only open six days a week.

Commissioner Mwilambwe asked if Mr. Patterson would keep same employees. Mr. Patterson stated that he would.

Commissioner Mwilambwe asked if Steve Patterson would continue to work for Times Past Inn after change in ownership. Jeffrey Patterson confirmed that Steve Patterson would.

George Boyle, Asst. Corporation Counsel, asked Mr. Donaldson how long Steve Patterson had been employed as the Head Cook at Times Past Inn. Mr. Donaldson responded that Steve Patterson had been employed for three months.

Mr. Boyle then asked Mr. Donaldson if there was a current manager. Mr. Donaldson stated that there was not. He went on to state that hours of operation were reduced as a result of the pandemic and reiterated that the establishment was only open six days a week from 6:00 a.m. to 2:00 p.m. He elaborated further, stating that the establishment was open for food service from 6:00 a.m. to 2:00 p.m. with bar service until 7:00 p.m. but that food was not served after 2:00 p.m.

Mr. Boyle noted that Mr. Patterson indicated in the application that there would be a manager that resided in McLean County. He asked Mr. Patterson who the manager would be. Mr. Patterson responded that he would be the owner, operator, and manager.

Mr. Boyle then asked Mr. Patterson if he had restaurant experience. Mr. Patterson responded that he had cooked for the Fire Department staff for 30 years but had no restaurant experience. He stated that his uncle, Steve Patterson, had experience in that he owned Shannon's for multiple years and intended to lean on him for managerial experience and food service experience.

Commissioner Mwilambwe confirmed that Steve Patterson's experience came from owning Shannon's. Mr. Jeff Patterson responded yes.

Mr. Donaldson stated that he wanted the business to succeed and would therefore, continue to advise Mr. Patterson as long as needed. Commissioner Mwilambwe asked how long Mr. Donaldson intended to function as an advisor. Mr. Donaldson responded that he planned for one to two months but, would stay longer if needed.

Mr. Donaldson stated he was confident Times Past Inn would succeed under Mr. Patterson and that hard work and dedication would ensure their success. Mr. Donaldson reminded the Commission that he ran Times Past Inn for 37 years.

Commissioner Mwilambwe asked if staff had any concerns or incidents with the location. Mr. Boyle, Asst. Corporation Counsel, Chad Wamsley, Asst. Chief of Police, and Chris McAllister, Building Official, had no additional concerns.

Mr. Boyle stated that the City had no issues with the location and confirmed that the item was for a 100% change in ownership.

Commissioner Mwilambwe closed the Public Hearing at 4:35 p.m.

Commissioner Mwilambwe made a motion, seconded by Commissioner Meister, to positively recommend the application to Council.

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

AYES: Mwilambwe, Meister

Motion carried.

Commissioner Mwilambwe confirmed that the item would appear before Council on the June 27, 2022, City Council meeting. He stated for the record that no one was present to speak for or against the application.

Old Business

No Old Business was discussed.

New Business

Amanda to remind the Commission that, beginning in July, Liquor Commission documents will be viewable through Peak, the new agenda management software. Staff will reach out to the Commission with more details on accessibility of the materials.

Executive Session

No Executive Session was held.

Adjournment

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

Motion carried unanimously (Viva Voce).

The meeting adjourned at 4:37 p.m.

CITY OF BLOOMINGTON



Mboka Mwilambwe, Liquor Commissioner

ATTEST



Amanda Stutsman, Deputy City Clerk