

## MINUTES OF THE BLOOMINGTON LIQUOR COMMISSION

May 13, 2014

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of William Mahrt and Christy Kimly to allow moderate consumption of alcohol at their November 15, 2014, wedding reception to be held at the Miller Park Pavilion. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and Christy Kimly and William Mahrt, bride and groom respectively, and requestors.

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. Christy Kimly, bride, and William Mahrt, groom, addressed the Commission. Ms. Kimly stated that the wedding and reception were scheduled for November 15, 2014 at the Miller Park Pavilion. The plan included 150 - 175 guests. Mr. Mahrt added Famous Wine & Spirits, located at 1404 E. Empire St., would be retained to provide liquor service, which would be limited to beer and wine only. The wedding and reception were scheduled at the Miller Park Pavilion commencing at 4:00 p.m. The reception would follow immediately and end at 11:00 p.m.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of William Mahrt and Christy Kimly to allow moderate consumption of alcohol at the Miller Park Pavilion for their November 15, 2014 wedding reception be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's June 9, 2014 Consent Agenda. He encouraged them to attend same.

There being no further business before the Commission, the meeting recessed at 4:04 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to address the liquor violation by Europe, Inc., d/b/a Chasers, located at 110 W. Washington St., 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. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins, and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Corporation Counsel, and Tracey Covert, City Clerk; Wayne Karplus, Town of Normal's Asst. Corporation Counsel; and Bob Lenz, License holder's attorney.

Commissioner Renner opened the liquor violation hearing and informed the Commission that a settlement agreement had been reached the day before, (May 12, 2014).

Wayne Karplus, Town of Normal's Asst. Corporation Counsel, addressed the Commission. He informed the Commission that a meeting was held on May 12, 2014. The following individuals were present: George Boyle, Asst. Corporation Counsel, Bob Lenz, License holder's attorney, Commissioner/Mayor Renner and himself. The violation (2014 - 007) had been settled as follows: a two (2) day suspension would be served and the License holder has agreed that all patrons over twenty-one (21) years of age will be stamped.

Commissioner Renner informed the Commission that there were issues regarding evidence and burden of proof.

George Boyle, Asst. Corporation Counsel, addressed the Commission. He cited a contested hearing. Mr. Karplus was here today as the Commission's attorney. This arrangement between the City and the Town allowed issues to be addressed. The settlement addressed the City's concerns by the requirement for all patrons over twenty-one (21) years of age to be stamped.

Bob Lenz, License holder's attorney, addressed the Commission. He noted the meeting length, (ninety/90 minutes). In conclusion, it was best to settle. The Liquor Violation had been withdrawn. It was in the public interest to avoid a hearing.

Commissioner Jordan expressed his concern. He questioned past performance. There had been issues with this license holder on a regular basis. The community's youth were aware of same. He recalled the incident.

Mr. Karplus stated that the situation was not as presented.

Commissioner Jordan questioned if there would be a new policy which would require that a doorman be on duty when the business opened.

Mr. Lenz restated that there was no liquor violation. The License holder/owner was generally at the door. Two (2) cameras had been installed. One (1) was located where identification was checked and one (1) was located in the bar area.

Mr. Karplus added that the incident occurred around midnight.

Mr. Lenz restated that the matter was resolved.

Commissioner Jordan wanted assurance due to the License holder's past history. The Commission needed to hold the License holder accountable. He questioned if similar incidents had occurred elsewhere.

Commissioner Renner questioned if formal action was needed by the Commission.

Mr. Karplus recommended that the Commission make a motion to accept the settlement.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the settlement offer reached on May 12, 2014 with Europe, Inc., d/b/a Chasers, located at 110 W. Washington St., currently holding a TAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises, be accepted.

Motion carried, (viva voce).

Commissioner Jordan expressed his hope that a different approach be taken in the future. The Commission needed to give thought to the issues related to alleged violations, previous violations, etc. The settlement offer did not bring resolution to the problem.

Commissioner Renner cited his concerns regarding evidence and the City's ability to prevail. There had been the potential for a third violation. He restated his belief that the settlement offer was in the best interest of the City. The Commission had not been easy on this License holder.

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 to hear the request of Garrick Gabbrants and Christine Mikel to allow moderate consumption of alcohol at their November 1, 2014, wedding reception to be held at the Miller Park Pavilion. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and Tim Mikel, father of the bride and requestor's representative.

Commissioner Renner opened the liquor hearing and requested that the requestor's representative address this request. Tim Mikel, father of the bride, addressed the Commission. Mr. Mikel stated that the wedding reception was scheduled for November 1, 2014 at the Miller Park Pavilion. The plan included 180 guests. Mr. Mikel added Famous Wine & Spirits, located at 1404 E. Empire St., would be retained to provide liquor service, which would be limited to beer and wine only. The wedding reception was scheduled at the Miller Park Pavilion commencing at 5:00 p.m. and would end at 10:00 p.m.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Garrick Gabbrants and Christine Mikel to allow moderate consumption of alcohol at the Miller Park Pavilion for their November 1, 2014 wedding reception be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's June 9, 2014 Consent Agenda. He encouraged Mr. Mikel to attend same.

There being no further business before the Commission, the meeting recessed at 4:15 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Dan Cavanaugh and Christine Reineke to allow moderate consumption of alcohol at their August 3, 2014, wedding reception to be held at the Lake Bloomington Davis Lodge.

Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and David Reineke, father of the bride and requestor's representative.

Commissioner Renner opened the liquor hearing and requested that the requestor's representative address this request. David Reineke, father of the bride, addressed the Commission. Mr. Reineke stated that the wedding and reception were scheduled for August 3, 2014 at the Davis Lodge. The plan included ninety (90) guests. Mr. Reineke added CJ's Restaurant, located at 2901 E. Empire St., would be retained to provide liquor service, which would be limited to beer and wine only. The wedding and reception was scheduled at Davis Lodge commencing at 3:00 p.m. Food and beverage service would commence at 5:00 p.m. and end at 11:00 p.m. Quiet hours at the Davis Lodge commence at 10:00 p.m.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Dan Cavanaugh and Christine Reineke to allow moderate consumption of alcohol at the Lake Bloomington Davis Lodge for their August 3, 2014 wedding reception be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's June 9, 2014 Consent Agenda. He encouraged Mr. Reineke to attend same.

There being no further business before the Commission, the meeting recessed at 4:16 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Christopher Gonzales and Trudi Porter to allow moderate consumption of alcohol at their August 23, 2014, wedding reception to be held at the Lake Bloomington Davis Lodge. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and Trudi Porter, and Christopher Gonzales, bride and groom respectively, and requestors.

Commissioner Renner opened the liquor hearing and requested that the requestor's representative address this request. Trudi Porter, bride, addressed the Commission. Ms. Porter stated that the wedding and reception were scheduled for August 23, 2014 at the Davis Lodge. The plan included 135 guests. Ms. Porter added Baxter's, located at 3212 E. Empire St., would be retained to provide liquor service, which would be limited to beer and wine only. The wedding and reception was scheduled at Davis Lodge commencing at 4:00 – 4:30 p.m. The reception would end at 11:00 p.m. Quiet hours at the Davis Lodge commence at 10:00 p.m.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Christopher Gonzales and Trudi Porter to allow moderate consumption of alcohol at the Lake Bloomington Davis Lodge for their August 23, 2014 wedding reception be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's June 9, 2014 Consent Agenda. He encouraged them to attend same.

There being no further business before the Commission, the meeting recessed at 4:17 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Justin Kagy and Tara Gross to allow moderate consumption of alcohol at their June 21, 2014, wedding reception to be held at the Lake Bloomington Davis Lodge. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and Tara Gross and Justin Kagy, bride and groom respectively, and requestors.

Commissioner Renner opened the liquor hearing and requested that the requestor's representative address this request. Justin Kagy, groom, addressed the Commission. Mr. Kagy stated that the wedding and reception were scheduled for June 21, 2014 at the Davis Lodge. The plan included 120 guests. Mr. Kagy added Drifter's, located at 612 N. Main St., would be retained to provide liquor service, which would be limited to beer and wine only. The wedding and reception was scheduled at Davis Lodge commencing at 3:00 p.m. The reception would end at 11:00 p.m. Quiet hours at the Davis Lodge commence at 10:00 p.m.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Justin Kagy and Tara Gross to allow moderate consumption of alcohol at the Lake Bloomington Davis Lodge for their June 21, 2014 wedding reception be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's June 9, 2014 Consent Agenda. He encouraged them to attend same.

There being no further business before the Commission, the meeting recessed at 4:18 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Benjamin Chrisman and Margaret Young to allow moderate consumption of alcohol at their September 20, 2014, wedding reception to be held at the Lake Bloomington Davis Lodge. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and Margaret Young, bride and requestor.

Commissioner Renner opened the liquor hearing and requested that the requestor's representative address this request. Margaret Young, bride, addressed the Commission. Ms. Young stated that the wedding and reception were scheduled for September 20, 2014 at the Davis Lodge. The plan included 120 guests. Ms. Young added Times Past Inn, located at 1216 Towanda Ave., would be retained to provide liquor service, which would be limited to beer and wine only. The wedding and reception was scheduled at Davis Lodge commencing at 3:30 p.m. The reception would follow with dinner planned for 5:00 p.m. and end at 10:00 p.m. Quiet hours at the Davis Lodge commence at 10:00 p.m.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Benjamin Chrisman and Margaret Young to allow moderate consumption of alcohol at the Lake Bloomington Davis Lodge for their September 20, 2014 wedding reception be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's June 9, 2014 Consent Agenda. He encouraged them to attend same.

There being no further business before the Commission, the meeting recessed at 4:19 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the notification by LCC Productions, LLC, d/b/a Laugh Comedy Club, located at 108 E. Market St., currently holding an EAS 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, Geoffrey Tompkins, and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Corporation Counsel, and Tracey Covert, City Clerk; and Michael Gardner, owner/operator and License holder.

Commissioner Renner opened the liquor hearing and noted that this request involved a change of ownership. 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.

Michael Gardner, owner/operator and License holder, addressed the Commission. Jonathan Pfendler was a minority partner in the business, (60/40). He now held 100% ownership.

George Boyle, Asst. Corporation Counsel, addressed the Commission. He questioned if there would be any changes at Laugh Comedy Club. Mr. Gardner responded negatively. Mr. Pfendler had been responsible for the accounting functions. Mr. Gardner acknowledged that Laugh Comedy Club was in arrears to the City in the area of Prepared Food & Beverage Taxes. He believed these taxes went back to January 2014.

Mr. Boyle questioned a time line. Mr. Gardner estimated that payment would be made in a week to ten (10) days. He assumed full responsibility.

Commissioner Renner questioned the amount due. Mr. Gardner estimated the amount at \$1,000 - \$1,200.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to accept the change of corporate ownership for LCC Productions, LLC, d/b/a Laugh Comedy Club, located at 108 E. Market St., currently holding an EAS liquor license; said license remains in force.

Motion carried.

Tracey Covert, City Clerk, informed the Commission that a letter had been provided to the Liquor Control Commission.

There being no further business before the Commission, the meeting recessed at 4:20 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the notification by American Drug Stores, d/b/a Osco Drug #3775, located at 2103 N. Veterans Pkwy., currently holding 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, Geoffrey Tompkins, and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Corporation Counsel, and Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and noted that this request involved 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, informed the Commission that William Emmons, President, had retired. Daniel Salemi has replaced Mr. Emmons as President.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to accept the change of corporate officer for American Drug Stores, d/b/a Osco Drug #3775, located at 2103 N. Veterans Pkwy., currently holding a PAS liquor license; said license remains in force.

Motion carried.

Tracey Covert, City Clerk, informed the Commission that a letter had been provided to the Liquor Control Commission.

There being no further business before the Commission, the meeting recessed at 4:21 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the notification by American Drug Stores, d/b/a Osco Drug #3116, located at 2201 Oakland Ave., currently holding 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, Geoffrey Tompkins, and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Corporation Counsel, and Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and noted that this request involved 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, informed the Commission that William Emmons, President, had retired. Daniel Salemi has replaced Mr. Emmons as President.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to accept the change of corporate officer for American Drug Stores, d/b/a Osco Drug #3116, located at 2201 Oakland Ave., currently holding a PAS liquor license; said license remains in force.

Motion carried.

Tracey Covert, City Clerk, informed the Commission that a letter had been provided to the Liquor Control Commission.

There being no further business before the Commission, the meeting recessed at 4:22 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the application by Red Lobster Hospitality, LLC, d/b/a Red Lobster #0130, located at 714 Eldorado Rd., for 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, Geoffrey Tompkins, and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Corporation Counsel, and Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and noted that this application involved a change of corporation from GMRI, Inc. to Red Lobster Hospitality, LLC. Commissioner Renner noted that no one was present to address the Commission.

Tracey Covert, City Clerk, addressed the Commission. She explained the change and had informed GrayRobinson, PA, the law firm, which submitted the application that a local store manager should be present at today's hearing.

George Boyle, Asst. Corporation Counsel, addressed the Commission. He cited the Emergency Contact sheet which did not list any local telephone numbers.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to deny the application by Red Lobster Hospitality, LLC, d/b/a Red Lobster #0130, located at 714 Eldorado Rd., for an RAS liquor license.

Motion carried, (viva voce).

Commissioner Tompkins requested that the Applicant provide a local representative at the liquor hearing and update the Emergency Contact sheet. This application could reappear on a future Commission meeting agenda.

There being no further business before the Commission, the meeting recessed at 4:25 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order regarding the application of Illinois State University Board of Trustees for the Shakespeare Festival, located at 48 Sunset Rd., requesting a Limited Alcoholic Liquor License, Class LB, which will allow the selling and serving of beer and wine only by the glass for consumption on the premise. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey

Tompkins, Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and Dick Folse, Managing Director and Applicant's representative.

Commissioner Renner opened the liquor hearing and requested that the Applicant address the Commission. Dick Folse, Managing Director and Applicant's representative, addressed the Commission. Illinois State University Foundation's Ewing Cultural Center hosted the Shakespeare Festival in the 438 seat theater located on the grounds. Patrons are allowed to picnic on the grounds. Bottle beer and wine would be offered for sale. Annual attendance at the Festival was 9,000 – 10,000. The property was fenced and gated. The gates were manned by Festival employees/volunteers. The Festival is held from July through August. Illinois State has held a liquor license for the Festival since 2008.

Commissioner Renner questioned the Festival's experience. Mr. Folse informed the Commission that identification was checked, notices were posted, employees were trained and Festival employees/volunteers watched the patrons as they exited.

Commissioner Renner questioned the alcohol servers. Mr. Folse noted that they would be Festival employees who were twenty-one (21) years of age or older. The beer and wine would be sold by the bottle. Festival employees would be BASSET, (Beverage Alcohol Servers and Sellers Alcohol Training), certified.

Commissioner Renner questioned if alcohol must be purchased. Mr. Folse noted that patrons were allowed to bring their own alcohol. There was a thirty-seven (37) year history of allowing same.

Commissioner Jordan questioned employee turnover. Mr. Folse noted that these were seasonal employees. Generally the concession staff was new each year.

Commissioner Tompkins commended Mr. Folse as the Festival was well operated. He questioned the parking situation. Mr. Folse noted that the agreement between the Festival and St. John's Lutheran Church located at 1617 E. Emerson St. Festival employees assist patrons with parking and crossing Emerson St. The residents of Sunset Rd. do not want Festival patrons walking on their street.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the application of Illinois State University Board of Trustees, for the Shakespeare Festival, located at 48 Sunset Rd., requesting an LB liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week, be approved.

Motion carried, (viva voce).

Mayor Renner informed Mr. Folse that this application would appear on the Council's May 27, 2014 meeting agenda. He encouraged Mr. Folse to attend.

There being no further business before the Commission, the meeting recessed at 4:27 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order regarding the application of Bloom Mart, Inc., d/b/a Bloom Mart Citgo, located 1810 S. Morris Ave., requesting an GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk, and Dr. Anupam Radhakrishnan, Director and Applicant's representative.

Commissioner Renner opened the liquor hearing and requested that the Applicant address this application. Dr. Anupam Radhakrishnan, Director and Applicant's representative, addressed the Commission. Bloom Mart Citgo hoped to sell packaged beer and wine. The store was under new ownership. Business hours would be 5:00 a.m. until 11:00 p.m., Monday through Saturday and 7:00 a.m. until 10:00 p.m. on Sunday.

Commissioner Renner questioned if there had been liquor sales at this location in past. Dr. Radhakrishnan responded affirmatively.

Commissioner Jordan questioned the number of employees. Dr. Radhakrishnan stated that there would be three (3) shifts of employees.

Commissioner Jordan questioned BASSET (Beverage Alcohol Sellers and Servers Education and Training) training. Dr. Radhakrishnan noted that employee training was in process.

Commissioner Jordan questioned the number of employees who would be involved in the sale of alcohol. Dr. Radhakrishnan believed that there would be four (4) employees involved in alcohol sales. Everyone employed at the store would be responsible for compliance with all liquor sale laws.

Commissioner Jordan expressed his concern regarding BASSET training and certification. He expressed an interest in a time frame for same.

Tracey Covert, City Clerk, addressed the Commission. She informed them that Heartland Community College had a class scheduled for May 14, 2014. BASSET training, (STEPS/Safety Training to Encourage Profitable Service), was offered through the College's Continuing Education program. She did not know if this training would be available over the summer months.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins to recommend to the City Council that a GPBS liquor license for Bloom Mart, Inc., d/b/a Bloom Mart Citgo, located at 1810 S. Morris Ave., be created contingent upon compliance with all health safety codes with the following condition: 1.) all employees must be BASSET certified within ninety (90) days after the license is issued.

Motion carried, (viva voce).

Commissioner Renner informed Dr. Radhakrishnan that this application would appear on the Council's June 9, 2014 meeting agenda. He encouraged Dr. Radhakrishnan to attend same.

There being no further business before the Commission, the meeting recessed at 4:31 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order regarding the application of SOILL Restaurant System, LLC, d/b/a Dotty's, located 1116 S. Veterans Pkwy., requesting an 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. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk, and Fred and Michelle Jansen, owners/operators and Applicant's representative.

Commissioner Renner opened the liquor hearing and requested that the Applicant address this application. Fred Jansen, Managing Member and Applicant's representative, addressed the Commission. Dotty will be located in a strip center which has not been built as of this date. The building would consist of five (5) suites. It would be located north of the Taco Bell Restaurant, located at 1122 S. Veterans Pkwy. The café would be 1,500 square feet. He described Dotty's as grandma's café. It would offer breakfast, lunch and dinner items. The menu listed a variety snacks and sandwiches.

Commissioner Renner questioned if Dotty's would be a restaurant. Mr. Jansen noted that food sale would be greater than fifty percent (50%) of total sales. Dotty's employees would be BASSET certified and hold the appropriate food sanitation certifications.

Commissioner Renner questioned if there was a projected opening date. Mr. Jansen restated that construction on the building had not started. He hoped that Dotty's would open around January 1, 2015.

Commissioner Renner questioned liquor license/sales experience. Mr. Jansen informed the Commission that his businesses had held liquor licenses in the states of California, Oregon and Washington. There were twelve (12) businesses in the states of Oregon and Washington which currently held a liquor license. He and his wife had recently relocated to Illinois. He had four (4) businesses located in Springfield, IL that held a liquor license.

Commissioner Jordan questioned if Dotty's was a franchise. Mr. Jansen responded affirmatively.

George Boyle, Asst. Corporation Counsel, addressed the Commission. He addressed the issue of a lease to the premises. (See Chapter 6. Alcoholic Beverages, Section 3. Number of Licenses Limited – Applications, (i) and Section 4. Disqualification for License, (m)).

Mr. Jansen had provided a letter of intent. He understood the requirement for a signed lease to be submitted prior to the issuance of a liquor license. He restated that building construction had not started as of this date.

Mr. Boyle acknowledged that the Commission could make a recommendation regarding this application to the Council.

Tracey Covert, City Clerk, addressed the Commission. She cited past applications in similar situations. Liquor licenses were not issued until a fully executed lease is provided by the applicant.

Commissioner Tompkins cited the Emergency Contact sheet. He noted that no one listed resided in McLean County. Mr. Jansen informed the Commission that hiring would be done locally approximately sixty (60) days prior opening.

Commissioner Tompkins questioned if Mr. Jansen planned to offer video gaming. He questioned the percentage of sales that was expected from the sale of alcohol. He expressed his opinion that the application for a liquor license was merely an excuse to allow video gaming.

Mr. Jansen restated that Dotty's would meet the City's requirements for an "R", Restaurant, liquor license. Dotty's would have kitchen and sale and serve food. The menu offered a variety of salads and sandwiches. The kitchen and wait staff would be BASSET certified.

Commissioner Tompkins noted that entertainment revenue could not be included when determining the percentage of food sales. Mr. Jansen believed that under the City Code food sales would be compared to liquor sales.

Commissioner Tompkins believed that a new apartment complex was under construction near this site. Mr. Jansen informed the Commission that a Marriott Residence Inn, located at 2180 Ireland Grove Rd., was currently under construction. In addition, there was a CVS, located at 1130 S. Veterans Pkwy., plus the previously cited Taco Bell. The remainder of the site was vacant land.

Motion by Commissioner Jordan, seconded by Commissioner Renner to recommend to the City Council that an RAS liquor license for SOILL Restaurant Systems LLC, d/b/a Dotty's, located at 1116 S. Veterans Pkwy., be created contingent upon compliance with all health safety codes with the following condition: 1.) submittal of a fully executed copy of a lease to the premise.

Ayes: Commissioners Renner and Jordan.

Nays: Commissioner Tompkins.

Motion carried.

Commissioner Renner informed the Jansens that this application would appear on the Council's June 9, 2014 meeting agenda. He encouraged them to attend same.

There being no further business before the Commission, the meeting recessed at 4:41 p.m.

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the notification of payment by Peggy Ann Bateman, d/b/a Digger's Again, located at 230 E. Front St., 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. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins, and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Corporation Counsel, and Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and noted that this liquor violation had been settled. The License holder paid a \$900 fine.

There being no further business before the Commission, the meeting recessed at 4:42 p.m.

Commissioner Renner opened the discussion regarding liquor license fees.

Commissioner Tompkins believed that this was an issue for the Commission. He had written a white paper regarding same. The Commission had discussed liquor license fees on a number of occasions but no action had been taken. There had not been an increase to these fees since 1983. He noted the value of today's dollar compared to 1983: \$2.31. He noted the impact liquor license establishments placed upon City services. He specifically cited police protection and the City's budget situation. He expressed his opinion that if these fees were doubled the City would still not be equal. The simplest approach would be to increase the multiplier from 1,000 to 2,000.

Commissioner Renner stated his intention to discuss this issue with the Council. He added his belief that the Council would prefer a phased in approach. There needed to be a larger discussion regarding all City fees. He added his interest in earmarking any liquor license fee increase for power washing in the Downtown.

Commissioner Jordan questioned how the City's fees compared to other Central IL cities. The City needed to consider the struggling economy. He noted the no smoking policy and the impact upon licensed establishments. Many were still open. He believed that there were a variety of issues which needed to be researched. He acknowledged that there had not been an increase in thirty (30) years but the answer was not to simply double the fee.

Commissioner Renner believed that this discussion would need to be continued to a future meeting.

Commissioner Tompkins stated that the City's Downtown hire back program was expensive. The Commission needed to do whatever was necessary to address this issue. He questioned if a business should be considered viable if it could not absorb a liquor license fee increase.

Commissioner Renner expressed his opinion that as Mayor he had a role to play regarding stabilizing the Downtown. He planned to address the Council. He encouraged the Commission to come up with ideas. He also requested that Commissioner Tompkins provide the Commission with copies of his white paper.

George Boyle, Asst. Corporation Counsel, addressed the Commission. He sounded like change was a foot. He cautioned that if the change was too large it would be hard to digest. If the change was too complex, then it would be difficult to understand and implement. It would not be difficult to address the multiplier. He cautioned the Commission against a total rewrite of the code. He believed that individuals preferred simplicity. The recommendation to double the license fees might be difficult. He restated his caution regarding anything that was too complex and/or too large.

Commissioner Renner stated that Commissioner Tompkins' suggestion would be a starting point. He would seek ideas from the Council. He stated his intention to move forward on this issue.

Commissioner Jordan recommended that any increase be phased in over two to three (2 – 3) years. This would ease the pain.

Commissioner Tompkins restated that it had been thirty (30) years since the last increase. He restated his belief that the City needed to catch up.

Commissioner Jordan questioned the cost for the state liquor license.

Tracey Covert, City Clerk, addressed the Commission. The state's Retailer's License had a \$500 annual fee.

Mr. Boyle noted that there had not been a public notice regarding this topic.

Jan Lancaster, 316 N. Main St., owner/operator and Liquor License holder for the Bistro located at 316 N. Main St. and Lancaster's located at 513 N. Main St., addressed the Commission. This item had been discussed for a number of years. The Downtown Entertainment Task Force contacted various Central IL cities. She recalled that in Normal a liquor license cost \$3,000 and in Champaign it cost \$2,850. A one-time large increase would hurt. Downtown was not busy until after 11:00 p.m. Business had been slow. It had been challenge to remain open. She cited the smoking ban which resulted in lost revenue and individuals standing outside smoking. She expressed support for the power washing idea. She informed the Commission that there were restaurants that remained open until 4:00 a.m. She cited her experience on Mother's Day weekend. She noted the litter from both restaurants and taverns. The City's liquor license fees should be in line with other Central IL cities.

There being no further business, the meeting adjourned. Time: 4:55 p.m.

Respectfully,

Tracey Covert, CRM, CMC, RMC  
City Clerk