



MINUTES
LIQUOR COMMISSION - SPECIAL SESSION
MONDAY, APRIL 24, 2023, 4:00 PM

The Liquor Commission convened in special session at 4:00 PM, on April 24, 2023. Chair Mboka Mwilambwe called the meeting to order.

Roll Call

Attendee Name	Title	Status
Mboka Mwilambwe	Chair & Liquor Commissioner	Present
Lindsey Meister	Liquor Commissioner	Present

Staff Advisors

Attendee Name	Title	Status
Leslie Yocum	City Clerk	Present
George Boyle	Asst. Corporation Counsel	Present
Ken Bays	Asst. Police Chief	Present
Catherine Dunlap	Downtown Development Specialist	Present
Hannah Horn	Downtown Development Specialist	Present
Ashley Lara	Records & Licensing Specialist	Present

Public Comment

No Public Comment was received.

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, to approve the consent agenda as presented.

Item 4.A. Consideration and Action to Approve the Minutes of the March 14, 2023, Regular Liquor Commission Meeting, as requested by the City Clerk Department.

Commissioner Mwilambwe directed the Clerk to call the roll:

AYES: Mwilambwe; Meister

Motion carried.

Regular Agenda

The following item was presented:

Item 5. A. Public Hearing and Action on the Request and Application from Setinthebar, Inc., d/b/a Jazz Upfront, Located at 107 W. Front St., to Allow for the Service of Beer and

Wine Only for the Special Event "Route 66 Festival" to be Held on the Square, on Saturday, May 6, 2023, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the Public Hearing at 4:03 p.m.

After being sworn in, James Gaston, Owner of Jazz Upfront, addressed the Commission. He stated the details of the Special Event and outlined his participation.

Commissioner Mwilambwe asked if this was Mr. Gaston's first time participating in the event. Mr. Gaston stated yes but noted that his establishment had done several other outdoor events in the last eight years.

Commissioner Mwilambwe asked about anticipated attendance. Mr. Gaston estimated the event had 1,000 - 1,500 people in the past. Mr. Gaston then explained where his booth would be placed.

Commissioner Mwilambwe asked if the staff would be BASSET Certified. Mr. Gaston stated yes, and there would be volunteers for the event who were in charge of security.

Commissioner Meister asked what hours alcohol would be sold and if wristbands would be provided. Mr. Gaston stated the event hours would be 4:00 p.m. to 10:00 p.m. and wristbands would be utilized.

Commissioner Mwilambwe closed the Public Hearing at 4:10 p.m.

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, to approve the Item as presented.

Commissioner Mwilambwe directed the Clerk to call the roll:

AYES: Mwilambwe; Meister

Motion carried.

The following item was presented:

Item 5. B. Public Hearing and Action on the Request and Application from Castle Productions, LLC, d/b/a The Castle Theatre, Located at 209 E. Washington St., to Allow for the Service of All Types of Alcohol for the Special Event "Saturdays on the Square" to be Held on the Square, on the Following Dates: June 10, 2023; July 15, 2023; August 5, 2023; and August 26, 2023, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the Public Hearing at 4:11 p.m.

Jason Williams, Representative of The Castle Theater, after being sworn in, addressed the Commission.

Mr. Williams described how 2023 would be the 3rd year for this event and explained the event will be held in partnership with *The Pantagraph*. He stated there would be music, alcohol, and food trucks.

Commissioner Mwilambwe asked about the event hours and if wristbands would be used. Mr. Williams stated the bar would open at 6:00 p.m. with last call around 9:30 p.m. to 9:45 p.m. He explained staff would be BASSET Certified and would also work as security to check identification and wristbands.

Commissioner Mwilambwe asked how many people there would be. Mr. Williams reported that last year had 2,000 to 3,000 averaged attendees.

Commissioner Meister and Staff had no questions or concerns.

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

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, to approve the Item as presented.

Commissioner Mwilambwe directed the Clerk to call the roll:

AYES: Mwilambwe; Meister

Motion carried.

The following item was presented:

Item 5. C. Public Hearing and Action on an Application from Lil Beaver Brewery, LLC, d/b/a Lil Beaver Brewery, located at 16 Currency Dr., Unit 2, Requesting Approval of a Change of Ownership for their Class TAPS (Tavern, All Types of Alcohol, with Package and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the Public Hearing at 4:17 p.m.

After being sworn in, Justin Bellas, Owner of Lil' Beaver Brewery, addressed the Commission. Mr. Bellas explained the Change in Ownership would be a removal of the original founder, Chad Bevers, only and assured the Commission that nothing will change in day-to-day operations.

Commissioner Meister and Staff had no questions or concerns.

Commissioner Mwilambwe closed the Public Hearing at 4:19 p.m.

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

Commissioner Mwilambwe directed the Clerk to call the roll:

AYES: Mwilambwe; Meister

Motion carried.

The following item was presented:

Item 5. D. Public Hearing and Action on an Application from Pour Bros., Co., d/b/a Pour Bros., to be located at 236 E. Front St., requesting the Creation of a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the Public Hearing at 4:19 p.m.

Rob Mathisen, Co-Owner of Pour Bros., after being sworn in, addressed the Commission. Mr. Mathisen described the origin of Pour Bros. and spoke about how they have always wanted to be in the Bloomington/Normal area, so they were happy when an opportunity arose.

Commissioner Meister asked what the hours would be. Mr. Mathisen explained they had not solidified hours of operation and days yet but planned to be open Tuesday - Sunday from 3:00 p.m. to 11:00 p.m. during the week, and close at 12:30 a.m. or 1:00 a.m. on weekends.

Commissioner Meister asked about BASSET Certifications. Mr. Mathisen said everyone would be trained and the record would be kept on file.

Commissioner Meister asked whether the food would be available. Mr. Mathisen said they do not currently plan to offer food, but they were open to working with local restaurants to create a situation where they would have delivery to-table or food truck options. He stated they currently planned to open and see what the market looked like, then adjust from there.

Commissioner Meister asked about their occupancy. Mr. Mathisen said he believed the target was 150 people, but inspections would give more information.

Commissioner Meister asked whether they would have live music. Mr. Mathisen said they had live music in other locations, but they anticipated smaller events at this location. He explained that, in the future, they may try to work with The Castle Theater for live music before or after scheduled shows.

Commissioner Meister asked if there was a local manager. Mr. Mathisen explained they had a manager who resided in Bloomington who would be available and on file.

George Boyle, Asst. Corporation Counsel asked for Manager's information and about their experience in running an establishment. Mr. Mathisen said the manager would be Johnathan "Adam" Arvizu and said he has been a manager at Firehouse Pizza and Medici. He stated the manager had close to 10 years of experience in the industry.

Commissioner Mwilambwe asked for their targeted open date and demographic. Mr. Mathisen said they hoped to be open between June 15, 2023, and July 15, 2023. He explained that while their targeted audience would generally be people around 35 on average, they anticipated a range to include younger and older crowds.

Commissioner Meister asked if they were interested in video gaming at some point. Mr. Mathisen stated they may consider Video Gaming in the future, but for this location, it would take expansion before they would even consider it as an option.

Commissioner Mwilambwe closed the Public Hearing at 4:28 p.m.

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

Commissioner Mwilambwe directed the Clerk to call the roll:

AYES: Mwilambwe; Meister

Motion carried.

The following item was presented:

Item 5. E. First Appearance on a Citation Issued to LKH, Inc., d/b/a Cheek's Bar & Grill, at 1206 Towanda Ave., for Violating Chapter 6, Section 37(e)(12) of the Bloomington City Code Relating to Unpaid Food & Beverage Taxes, as requested by the Legal Department.

George Boyle, Asst. Corporation Counsel, provided an update on the Item. He reported the Item would appear at the Regular Meeting in April 2023. He explained that no one representing the establishment appeared to speak on behalf of the Item. He stated that this was the third tax complaint against this establishment since 2021.

Commissioner Mwilambwe supported continuing the First Appearance to give the establishment another chance to attend or satisfy the requirements.

Leslie Yocum, City Clerk, stated that Video Gaming Renewals are due soon and it would be prudent to discuss the impact the citation and amount owed would have on the license.

She explained that owing anything over \$500 will prevent a license from being issued. She clarified the estimated amount owed.

Mr. Boyle suggested personally serving the establishment as a secondary form of notice. He stated that there have been attempts to contact the establishment by phone and email.

Ashley Lara, Records & Licensing Specialist, stated the email on file had been active and communicated through since December 2022. She also noted the establishment had not yet completed the renewal and their license would expire if it was not completed.

Ms. Yocum explained the application process for Video Gaming Renewal and stated there was a late fee applied if not paid by the deadline.

Mr. Boyle suggested continuing the Item to the next scheduled Liquor Commission Meeting on May 9, 2023, at 4:00 P.M.

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, to continue the Item to the next regularly scheduled meeting.

Commissioner Mwilambwe directed the Clerk to call the roll:

AYES: Mwilambwe; Meister

Motion carried.

The following item was presented:

Item 5. F. Consideration of Creating a New Farmer's Market Liquor License Classification, as requested by the City Clerk Department.

George Boyle, Asst. Corporation Counsel, explained that the Economic & Community Development Department ("ECD") expressed interest in expanding the types of vendors to include the sampling/selling of locally produced alcohol at the Farmer's Market Events. Staff reviewed ordinances from other municipalities and drafted an ordinance to support the request. He then defined "tasting" in respect to the Code.

Commissioner Mwilambwe asked if the liquor would be contained to a specific area. Leslie Yocum, City Clerk, explained the proposed license was a primary license classification and was very similar to the City of Urbana's Ordinance regarding the same type. She gave an example of fees for the license and explained samples would be given at the booth and packaged liquor would be consumed off-premises. She asked Staff to describe qualifications for someone to be able to sell or sample at the Market.

Catherine Dunlap, Downtown Development Specialist, stated the Farmer's Market had been "producer-only" since 2006. She explained the person selling must either make, create, or produce the item(s) they sold. She spoke to the importance to stay competitive in the market and when they were approached by a manufacturer who was interested in this opportunity, she wanted to see if it was an option.

Commissioner Mwilambwe asked how businesses are vetted. Ms. Dunlap explained their inspection process. She was interested in offering this license type as soon as possible.

Mr. Boyle explained that each application would be reviewed and approved by the Liquor Commission and City Council.

Ms. Yocum expressed that, if the Commission had no objections, she would place the Item on the May 8, 2023, City Council Agenda.

Mr. Boyle said there could be a discussion on the fee and about placing a cap on how many licenses, which could come from those who run the Farmer's Market. He said there was also the question of if it should be published in the newspaper.

Commissioner Mwilambwe noted the annual license fee proposed in the memo was \$100.

Commissioner Meister asked if the license would be capped at a certain amount. Ms. Dunlap said the Market was currently at max capacity this year and only anticipated one or two booths a month at the most.

Commissioner Mwilambwe asked if they plan to expand their area to support more vendors. Hannah Horn, Downtown Development Specialist, explained they may consider it in the future, but did not have the time and resources to adjust the layout this year.

Commissioner Meister asked the timeframe alcohol would be sampled and/or sold. Ms. Yocum explained the timeframe would be limited to 9:00 a.m. to 12:00 p.m.

Commissioner Meister clarified that people would not be drinking at the event except for the samples. She asked if wristbands would be provided. Ms. Dunlap stated each booth was responsible for checking identification and ensuring staff were BASSET Certified. She confirmed that no wristbands would be given.

Commissioner Mwilambwe asked if there would be alcohol at the indoor Farmer's Market as well. Ms. Horn stated that, ideally, yes, but more research needed to be conducted on permitting multiple liquor licenses in one location as well as considering the Arena's liquor license.

Commissioner Meister stated how there were other events, like the Bacon & Beer Festival, that allowed for the sale of alcohol at the Arena despite their current license. Ms. Dunlap noted how there was alcohol, in the form of adult hot chocolate and mulled wine, sold at the Farmer's Market for the holiday events in the past.

Ken Bays, Asst. Police Chief, asked if there was language in the Code to support enforcement if needed. Mr. Boyle suggested the violation would fall on the customer. Ms. Horn suggested signage be added to further deter people from leaving the area.

Commissioner Meister noted the size of the samples to be very small.

Ms. Dunlap noted other municipalities that had similar types of licenses reported very little, if any, incidences.

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

Commissioner Mwilambwe directed the Clerk to call the roll:

AYES: Mwilambwe; Meister

Motion carried.

Old Business

No Old Business was discussed.

New Business

No New Business was discussed.

Executive Session

No Executive Session was held.

Adjournment

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, to adjourn.

Commissioner Mwilambwe directed the clerk to call the roll:

AYES: Mwilambwe; Meister.

Motion carried (viva voce).

The Meeting Adjourned at 4:53 p.m.

CITY OF BLOOMINGTON



Mboka Mwilambwe, Chair



Amanda Stutsman, Deputy City Clerk