

MINUTES OF THE BLOOMINGTON
LIQUOR COMMISSION
April 14, 2015

Attendees: Tari Renner, Geoffrey Tompkins and Jim Jordan, Commissioners; George Boyle, Asst. Corporation Counsel, Asst. Chief Clay Wheeler, Ryan Otto, Project Engineer and Renee Gooderham, Interim City Clerk.

The regular meeting of the Liquor Commission was called to order at 4:00 p.m. on April 14, 2015 at the Bloomington City Hall, Council Chambers.

Public Comment: No one came forward to address the Commission.

Minutes of Previous Meeting: Motion by Commissioner Jordan, seconded by Commissioner Tompkins to approve Regular Meeting minutes of March 10, 2015.

Motion carried, (viva voce).

The following was presented:

The request of Sonya Bettner and Sean McNiff to allow moderate consumption of alcohol at their November 7, 2015 wedding reception to be held at Miller Park Pavilion.

Richard E. McNiff, father of Sean McNiff, addressed the Commission. He stated that Times Past would be catering the event. Beer and wine only would be served.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Sonya Bettner and Sean McNiff to allow moderate consumption of alcohol at the Miller Park Pavilion for their November 7, 2015 wedding reception be approved.

Motion carried, (viva voce).

The following was presented:

The application of Dyno Enterprises, Inc., d/b/a Convenient Food Mart, located at 1102 N. Hershey Rd., requesting a PAS liquor license which would allow the sale of all types packaged alcohol for consumption off the premises seven (7) days a week.

Julia Davis, attorney for the applicant and Ajeet Singn, applicant representative, addressed the Commission.

Ms. Davis provided a copy of a letter from CW³ M Company, Inc., Environmental Consulting Services, dated April 13, 2015. It was noted that the gas tanks at 1102 N. Hershey Rd., were out of service. CW³ M would begin the process of removing same within forty – five (45) days.

Commissioner Tompkins questioned selling alcohol. Ms. Davis stated that Convenient Food Mart, Inc., d/b/a Convenient Food Mart was operating same.

Commissioner Tompkins questioned video gaming. Mr. Singn responded negatively.

Commissioner Tompkins questioned BASSETT (Beverage Alcohol Sellers and Servers Education) certification. Mr. Singn stated he would take required certification.

George Boyle, Asst. Corporation Counsel questioned convenience store. Mr. Singn responded convenience/grocery and package liquor store.

Commissioner Renner questioned saturation.

Commissioner Tompkins questioned liquor square footage. Mr. Singn stated that liquor was currently at the back of the store. He had no plans to change same. Commissioner Jordan questioned convenience versus retail. Mr. Boyle read from Chapter 6, Alcoholic Beverages, Section 1, Definitions, Retail Grocery Convenience Store. The maximum total public selling space for alcoholic beverages was fifteen percent (15%).

Commissioner Tompkins requested a detailed floor plan.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins to that the application of Dyno Enterprises, Inc., d/b/a Convenient Food Mart, located at 1102 N. Hershey Rd., requesting a PAS liquor license which would allow the sale of all types packaged alcohol for consumption off the premises seven (7) days a week be approved contingent upon compliance with all applicable health and safety codes, verification of underground storage tank and gas pump removal, BASSETT certification, and a detailed floor plan.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's May 11, 2015 Consent Agenda. He encouraged Mr. Singn to attend same.

The following was presented:

The application of Two K's Diner, d/b/a Two K's Diner, located at 1804 S Hershey Rd, requesting an RBS 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.

Commissioner Renner noted that a representative was not available to address the application. The application would be placed on the May 12, 2015 Liquor Agenda.

The following was presented:

Notification of Corporation Officer changes from MCO QSR, Inc., d/b/a Legends Sports Bar & Grill currently holding a 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, from Michael Owens, President, to Craig O'Dell, President and removal of Candance Owens, Vice President.

Joe Dehn, attorney for applicant and Craig O'Dell, owner/operator, addressed the Commission.

Commissioner Jordan questioned BASSETT (Beverage Alcohol Sellers and Servers Education) certification. Mr. O'Dell responded affirmatively.

Motion by Commission Tompkins, seconded by Commissioner Jordan to accept the Notification of Corporation Officer changes from MCO QSR, Inc., d/b/a Legends Sports Bar & Grill currently holding a 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, from Michael Owens, President, to Craig O'Dell, President and removal of Candance Owens, Vice President.

Motion carried, (viva voce).

The following was presented:

Discussion of potential Amendments to the Sidewalk Café Ordinance. Commissioner Renner introduced the item. He noted that that the Chapter 6, Alcoholic Beverages allowed for an "O" liquor classification. Same authorized retail sale of alcoholic liquor by any person holding a Class R license upon a sidewalk, provided that a valid sidewalk café permit had been issued pursuant to Article IX, Soliciting on Streets of Chapter 38, Streets, Sidewalks and Other Public Ways.

Janet Lancaster, owner/operator, The Bistro, located at 316 N. Main St. and Downtown Bar Association President, addressed the Commission. She purposed the "O" classification include Class T, Tavern and reduce the hours of operation from 9:00 a.m. to 12:00 a.m. (Midnight) to 9:00 a.m. to 10:00 p.m.

George Boyle, Asst. Corporation Counsel noted that the City of Champaign does not require sidewalk café barriers. He believed that same define the premise. Ryan Otto, Project Engineer stated that the Americans with Disabilities Act Guidelines govern pedestrian areas and the Illinois Barriers Act was a standard for barriers on sidewalks. A minimum four foot (4') wide clear walking path be provided at all times. For detectability, a two (2) rope barrier system be used where the bottom rope is a maximum of 2.25' from the ground at its highest point. If the bases of the posts protrude into the sidewalk, the base must be a minimum of 2.5" thick and may not impede into the four foot (4') clear zone.

Asst. Chief Wheeler stated that the 10:00 p.m. closed was satisfactory. He questioned table and chair location after same. Ms. Lancaster stated that each establishment would secure same inside.

Motion by Commissioner Tomkins, seconded by Commissioner Jordan that staff amended Chapter 6, Alcoholic Beverages, Section 7A Classification, (11) Class "O" to allow Class T liquor licenses to apply for same and change hours of operation to 9:00 a.m. to 10:00 p.m.

Motion carried, (viva voce).

Commissioner Renner noted that same would appear on the Council's May 11, 2015 Consent Agenda.

The following was presented:

Sanctions hearing of Mercedes Restaurants, Inc., d/b/a Famous Dave's, located at 1603 Morrissey Dr., currently holding an RAS liquor license which allows the sale of all types of alcohol by the glass for the consumption on the premises seven (7) days a week.

George Boyle, Asst. Corporation Counsel stated that Mercedes, Restaurants, Inc., had agreed to settle. The fine was sent at \$500.

Motion by Commissioner Tompkins, seconded by Commission Jordan to adjourn. Time: 4:40 p.m.

Motion carried, (viva voce).

Respectfully submitted:

Renee Gooderham
Interim City Clerk