



MINUTES
REGULAR LIQUOR COMMISSION MEETING
TUESDAY, APRIL 12, 2022, 4:00 P.M.

The Liquor Commission convened in regular session in the Government Center Chambers, 115 E. Washington Street at 4:00 p.m., on Tuesday, April 12, 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
Leslie Yocum	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	Present	

Public Comment

No public comment was received.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled by the Commission 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.

Item 4.A. Consideration and action to approve the Minutes of the March 8, 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:

Item 5.A. Consideration and action on the Request from Castle Productions, LLC, d/b/a The Castle Theatre, for approval to operate under the Chapter 6, Section 133(D)(6) of the Bloomington City Code that permits Possession of Open Alcohol in Public for the Black Dirt Music Festival to be held in Portions of Downtown Bloomington on Friday, July 22 and Saturday, July 23, 2022, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 4:04 p.m.

No one from the establishment was present in the hearing.

The Commissioners discussed last year's event, and both were not aware of any issues resulting from the event. Catherine Dunlap, Downtown Development Specialist; Ken Bays, Asst. Police Chief; and George Boyle, Asst. Corporation Counsel confirmed the same.

Commissioner Meister and City Clerk, Leslie Yocum, discussed whether beer and wine service was being requested or all types of liquor.

Mrs. Dunlap stated that she believed last year's event was only beer and wine, but did note that some of the materials provided stated all types of liquor.

Mrs. Yocum recommended approving all types of liquor since beer and wine would be included under the approval.

Mr. Boyle had no issues with that seeing that the previous year's event had gone well.

Commissioner Mwilambwe closed the public hearing at 4:13 p.m.

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, to send the application for all types of alcohol with a positive recommendation to the City Council.

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 the Request from The Board of Trustees, d/b/a Illinois Shakespeare Festival, whose events will be held on various dates between June 3, and August 6, 2022, at the Ewing Cultural Center, located at 48 Sunset Rd., for two Class LB (Limited/Beer and Wine) Liquor Licenses, as requested by the City Clerk Department.

Commissioner Mwilambwe recused himself at 4:14 p.m. due to conflict of interest.

Commissioner Meister opened the public hearing at 4:15 p.m.

Molly Briggs-Yonke, a representative appearing on behalf of Illinois State University and the Illinois Shakespeare Festival, came forward. City Clerk, Leslie Yocum, swore her in prior to addressing the Commission. Mrs. Briggs-Yonke described the event and stated that no changes were planned for this year's festival in terms of alcohol service from previous years.

George Boyle, Asst. Corporation Counsel, stated that because Class LB liquor licenses are limited to 60-days and the festival was planned for 64-days, two license had been requested by the Applicant for consideration.

Commissioner Meister closed the public hearing at 4:18 p.m.

Commissioner Meister approved to send the application with a positive recommendation to the City Council.

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

AYES: Meister

RECUSED: Mwilambwe

Passed.

Commissioner Mwilambwe returned at 4:18 p.m.

The following item was presented:

Item 5.C. Consideration and action on a Request from Around the Corner II, Inc., d/b/a JP's Wheel & Alehouse, located at 409 N. Hershey Rd. on the accelerated stock transfer of the establishment which holds a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe introduced the item.

No one from the establishment was present in the meeting.

George Boyle, Asst. Corporation Counsel, described the stock transfer.

Commissioner Mwilambwe made a motion, seconded by Commissioner Meister, to approve the change in ownership.

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.D. Public Hearing and action on an Application from Lupita's Hispanic and American Grocery, Inc., d/b/a Lupita's Hispanic and American Grocery, located at 1512 W. Market St., Unit 200, requesting a change in ownership for their Class RAPS (Restaurant, All Type of Alcohol, Package and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Commissioner Mwilambwe opened the public hearing at 4:25 p.m.

Tony Lewis, the accountant for Lupita's, came forward along with Luciano Perez, the new owner and proposed license holder. City Clerk, Leslie Yocum, swore them both in separately prior to addressing the Commission. Mr. Lewis spoke on behalf of Mr. Perez as there was somewhat of a language barrier. They confirmed that no changes would take place from a business perspective and that both the restaurant and grocery store would continue to serve alcohol in the same manner as it had historically.

Commissioner Meister asked if all staff handling and selling alcohol would be BASSETT trained. Mr. Lewis stated that he was not familiar with alcohol terminology and asked her to

tell him about BASSETT certification. She explained it to him. Mr. Perez (owner) confirmed they would all be BASSETT certified.

George Boyle, Asst. Corporation Counsel, had no concerns about the business, nor did Asst. Chief Kenneth Bays.

Commissioner Mwilambwe closed the public hearing at 4:29 p.m.

Commissioner Meister made a motion, seconded by Commissioner Mwilambwe, to send the application with a positive recommendation to the City Council.

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

AYES: Mwilambwe, Meister

Motion carried.

Commissioner Mwilambwe then turned the floor over George Boyle, Asst. Corporation Counsel, to give an update on Items 5.E to 5.Q. Mr. Boyle shared that all the violations under each Item had been settled except for Items 5.O. which continued to have ongoing discussion regarding food and beverage taxes with Kroger. Mr. Boyle described that in early March this year, the Bloomington Police Department conducted compliance checks of 40-50 establishments; of that, 11 of the establishments failed the checks in that they sold alcohol to a minor. In addition, there were three cases set before the Commission for the afternoon for failure to pay food and beverage taxes. He then went through each of the agenda items.

The following item was presented:

Item 5.E. Consideration and action on the first Appearance for Violation Citation of Jay Goga, Inc. d/b/a Illini Liquor, located at 2402 E. Oakland Ave., Unit 6, for Violating Section 26(a) of Chapter 6 of the Bloomington City Code relating to the sale of alcoholic liquor to a minor, as requested by the Legal Department.

Mr. Boyle explained that the Complaint and Citation was a first offence and the licensee admitted to the allegation. The licensee agreed to pay a \$600 fine which was the usual fine the City accepts for the first offence of this type of violation.

The following item was presented:

Item 5.F. Consideration and action on the first Appearance for Violation Citation of MCO QSR, Inc. d/b/a Legend's Sports Bar & Grill, located at 712 S. Eldorado Rd., for Violating Section 26(a) of Chapter 6 of the Bloomington City Code relating to the sale of alcoholic liquor to a minor, as requested by the Legal Department.

Mr. Boyle explained that the Complaint and Citation was a first offence and the licensee admitted to the allegation. The licensee agreed to pay a \$600 fine which was the usual fine the City accepts for the first offence of this type of violation.

The following item was presented:

Item 5.G. Consideration and action on the first Appearance for Violation Citation of Casey's General Stores, Inc., d/b/a Casey's General Store #1721, located at 3007 Gill St., for Violating Section 26(a) of Chapter 6 of the Bloomington City Code relating to the sale of alcoholic liquor to a minor, as requested by the Legal Department.

Mr. Boyle explained that the Complaint and Citation was a first offence and the licensee admitted to the allegation. The licensee agreed to pay a \$600 fine which was the usual fine the City accepts for the first offence of this type of violation.

The following item was presented:

Item 5.H. Consideration and action on the first Appearance for Violation Citation of Kroger Limited Partnership I, d/b/a Kroger #J-856, located at 1502 N. Main St., Unit 6, for Violating Section 26(a) of Chapter 6 of the Bloomington City Code relating to the sale of alcoholic liquor to a minor, as requested by the Legal Department.

Mr. Boyle explained that the Complaint and Citation was a first offence and the licensee admitted to the allegation. The licensee agreed to pay a \$600 fine which was the usual fine the City accepts for the first offence of this type of violation.

The following item was presented:

Item 5.I. Consideration and action on the first Appearance for Violation Citation of P-Corn Acquisitions of MN/IL, LLC, d/b/a Bloomington Galaxy 14 Cinema, located at 1111 Wylie Dr., for Violating Section 26(a) of Chapter 6 of the Bloomington City Code relating to the sale of alcoholic liquor to a minor, as requested by the Legal Department.

Mr. Boyle explained that the Complaint and Citation was a first offence and the licensee admitted to the allegation. The licensee agreed to pay a \$600 fine which was the usual fine the City accepts for the first offence of this type of violation.

The following item was presented:

Item 5.J. Consideration and action on the first Appearance for Violation Citation of Barmania, LLC, d/b/a Euphoria Nightclub, located at 3007 Gill St., for Violating Section 26(a) of Chapter 6 of the Bloomington City Code relating to the sale of alcoholic liquor to a minor, as requested by the Legal Department.

Mr. Boyle explained that the Complaint and Citation was a first offence and the licensee admitted to the allegation. The licensee agreed to pay a \$600 fine which was the usual fine the City accepts for the first offence of this type of violation.

The following item was presented:

Item 5.K. Consideration and action on the first Appearance for Violation Citation of The 236 Group LLC, d/b/a The Stable Music Hall & Lounge, located at 236 E. Front St., for Violating Section 26(a) of Chapter 6 of the Bloomington City Code relating to the sale of alcoholic liquor to a minor, as requested by the Legal Department.

Mr. Boyle explained that the Complaint and Citation was a first offence and the licensee admitted to the allegation. The licensee agreed to pay a \$600 fine which was the usual fine the City accepts for the first offence of this type of violation.

The following item was presented:

Item 5.L. Consideration and action on the first Appearance for Violation Citation of Jayst, Inc., d/b/a Mulligan's, located at 531 N. Main St., for Violating Section 26(a) of Chapter 6 of the Bloomington City Code relating to the sale of alcoholic liquor to a minor, as requested by the Legal Department.

Mr. Boyle explained that the Complaint and Citation was a first offence and the licensee admitted to the allegation. The licensee agreed to pay a \$600 fine which was the usual fine the City accepts for the first offence of this type of violation.

The following item was presented:

Item 5.M. Consideration and action on the first Appearance for Violation Citation of Peggy Ann Bateman, d/b/a Diggers Again!, located at 230 E. Front St., for Violating Section 26(a) of Chapter 6 of the Bloomington City Code relating to the sale of alcoholic liquor to a minor, as requested by the Legal Department.

Mr. Boyle explained that the Complaint and Citation was a first offence and the licensee admitted to the allegation. The licensee agreed to pay a \$600 fine which was the usual fine the City accepts for the first offence of this type of violation.

The following item was presented:

Item 5.N. Consideration and action on the first Appearance for Violation Citation of Schnuck Markets, Inc., d/b/a Schuck's, located at 1701 E. Empire St., for Violating Section 26(a) of Chapter 6 of the Bloomington City Code relating to the sale of alcoholic liquor to a minor, as requested by the Legal Department.

Mr. Boyle explained that the Complaint and Citation was a first offence and the licensee admitted to the allegation. The licensee agreed to pay a \$600 fine which was the usual fine the City accepts for the first offence of this type of violation.

The following item was presented:

Item 5.O. Consideration and action on the first Appearance for Violation Citation of Kroger Limited Partnership I, d/b/a Kroger #J-856, located at 1502 N. Main 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.

Mr. Boyle explained that the

Paid the penalty and the majority of outstanding taxes with ongoing discussion. Staff request a continued hearing at the next Commission meeting on May 10, 2022.

The following item was presented:

Item 5.P. Consideration and action on the first Appearance for 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

Mr. Boyle explained that the Complaint and Citation was a second offence within the past three years and the licensee admitted to the allegation and agreed to pay a \$1000 fine.

The following item was presented:

Item 5.Q. Consideration and action on the first Appearance for Violation Citation of C&K Hotel Group LLC, d/b/a Hawthorn Suites, located at 1 Lyon Ct., 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.

Mr. Boyle explained that the Complaint and Citation was a first offence and the licensee admitted to the allegation. The licensee paid all outstanding taxes and agreed to pay a \$600 fine which was the usual fine the City accepts for the first offence of this type of violation.

Old Business

No Old Business was discussed.

New Business

George Boyle, Asst. Corporation Counsel, discussed a 2020 violation of TEDJ, LLC, d/b/a Joe's Pub, and that the establishment appealed to the Illinois Liquor Control Commission. He reported that the appeal was ruled in the City's favor and that the establishment's time for additional appeal had passed.

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 4:35 p.m.

CITY OF BLOOMINGTON



Mboka Mwilambwe, Liquor Commissioner

ATTEST



Leslie Yocum, City Clerk

