

MINUTES OF THE BLOOMINGTON
LIQUOR COMMISSION

March 11, 2014

The Bloomington Liquor Commissioner Geoffrey Tompkins called the Liquor Hearing to order to hear the request of Dana and Carrie Riisberg to allow moderate consumption of alcohol at their July 5, 2014, vow blessing and reception to be held at the Lake Bloomington Davis Lodge. Present at the hearing were Liquor Commissioners Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk, and Carrie Riisberg, bride and requestor's representative.

Commissioner absent: Tari Renner.

Commissioner Tompkins opened the Public Comment section of the meeting. No one came forward to address the Commission.

Commissioner Tompkins opened the liquor hearing and requested that the requestor's representative address this request. Carrie Riisberg, bride, addressed the Commission. She and Dana were married on September 13, 2013. The reception would be held at the Davis Lodge on July 5, 2014. It would start at 4:00 p.m. She anticipated between 110 – 115 guests. Reality Bites located at 414 N. Main St. would be the caterer providing both food and beverage services. The Davis Lodge operates under quiet hours commencing at 10:00 p.m. and the Lodge must be vacated by 12:00 a.m. (midnight).

Motion by Commissioner Jordan, seconded by Commissioner Tompkins that the request of Dana and Carrie Riisberg to allow moderate consumption of alcohol at the Lake Bloomington Davis Lodge for their July 5, 2014 reception be approved.

Motion carried, (viva voce).

Commissioner Tompkins stated that this item would appear on the Council's April 14, 2014 Consent Agenda. He encouraged Mrs. Riisberg to attend same.

There being no further business before the Commission, the meeting recessed at 4:03 p.m.

The Bloomington Liquor Commissioner Geoffrey Tompkins 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 Millar Park Pavilion. Present at the hearing were Liquor Commissioners Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk.

Commissioner absent: Tari Renner.

Commissioner Tompkins opened the liquor hearing and noted that no one was present to address this request.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins 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 laid over until the Commission's April 8, 2014 meeting.

Motion carried, (viva voce).

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

The Bloomington Liquor Commissioner Geoffrey Tompkins called the Liquor Hearing to order to hear the request of Jordan Kaase and Carol McSweeney to allow moderate consumption of alcohol at their November 29, 2014, wedding reception to be held at the Miller Park Pavilion. Present at the hearing were Liquor Commissioners Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk, and Jordan Kaase and Carol McSweeney, groom and bride and requestors' representative.

Commissioner absent: Tari Renner.

Commissioner Tompkins opened the liquor hearing and requested that the requestor's representatives address this request. Carol McSweeney, bride, addressed the Commission. The wedding ceremony would be at St. Patrick's Catholic Church. The reception would be held at the Miller Park Pavilion on November 29, 2014. It would start around 4:00/5:00 p.m. She anticipated between 100 guests. Ozark House located at 704 S. McGregor St. would be the caterer providing both food and beverage services. She noted that liquor service would be limited to beer and wine only. The Miller Park Pavilion must be vacated by 10:00 p.m.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins that the request of Jordan Kaase and Carol McSweeney to allow moderate consumption of alcohol at the Miller Park Pavilion for their November 29, 2014 reception be approved.

Motion carried, (viva voce).

Commissioner Tompkins stated that this item would appear on the Council's April 14, 2014 Consent Agenda. He encouraged Mr. Kaase and Ms. McSweeney to attend same.

There being no further business before the Commission, the meeting recessed at 4:05 p.m.

The Bloomington Liquor Commissioner Geoffrey Tompkins called the Liquor Hearing to order regarding the notification by Lone Star Steakhouse & Saloon of Springfield, Inc., d/b/a Lone Star Steakhouse & Saloon, located at 903 IAA Dr., currently holding 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 Geoffrey Tompkins and Jim

Jordan; George Boyle, Asst. Corporation Counsel; Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk.

Commissioner absent: Tari Renner.

Commissioner Tompkins opened the liquor hearing and noted that this item involved the 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, addressed the Commission. She informed them that Marc L. Lipshy, Vice President, had left employment with Lone Star Steakhouse & Saloon of Springfield, Inc.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins to accept the change of corporate officer for Lone Star Steakhouse & Saloon, Inc., d/b/a Lone Star Steakhouse & Saloon, located at 903 IAA Dr., currently holding an RAS liquor license; said license remains in force.

Motion carried, (viva voce).

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 4:06 p.m.

The Bloomington Liquor Commissioner Geoffrey Tompkins called the Liquor Hearing to order regarding the notification by Kmart Corporation, d/b/a Big Kmart #4031, located at 1608 E. Empire St., currently holding a PBS liquor license, which allows the sale of packaged beer and wine for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel; Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk.

Commissioner absent: Tari Renner.

Commissioner Tompkins opened the liquor hearing and noted that this item involved the 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, addressed the Commission. She informed them that William Phelan, Sr., Vice President Finance, had left employment with Kmart.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins to accept the change of corporate officer for Kmart Corporation, d/b/a Big Kmart #4031, located at 1608 E. Empire St., currently holding a PBS liquor license; said license remains in force.

Motion carried, (viva voce).

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 4:07 p.m.

The Bloomington Liquor Commissioner Geoffrey Tompkins called the Liquor Hearing to order regarding the notification by Wal-Mart Stores, Inc., d/b/a Wal-Mart Supercenter #3459, located at 2225 W. Market St., currently holding a PAS liquor license, which allows the sale of all types of packaged liquor for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel; Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk.

Commissioner absent: Tari Renner.

Commissioner Tompkins opened the liquor hearing and noted that this item involved the 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, addressed the Commission. She informed them that Michael Duke, President and CEO, had left employment with Wal-Mart. C. Douglas McMillon has been appointed President and CEO.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins to accept the change of corporate officer for Wal-Mart Stores, Inc., d/b/a Wal-Mart Supercenter #3459, located at 2225 W. Market St., currently holding a PAS liquor license; said license remains in force.

Motion carried, (viva voce).

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 4:08 p.m.

The Bloomington Liquor Commissioner Geoffrey Tompkins called the Liquor Hearing to order to address the reappearance of Asil 1, Inc., d/b/a Price Rite Food Mart, located at 706 N. Clinton, requesting a 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 Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk, and Ahmad Samhan, owner/operator and applicant's representative.

Commissioner absent: Tari Renner.

Commissioner Tompkins opened the liquor hearing and requested that the applicant address this application.

George Boyle, Asst. Corporation Counsel, addressed the Commission. He noted the past hearing, (February 11, 2014), and the Commission's discussion regarding Andy & Associates. There was an agreement with the IL Dept. of Revenue regarding the payment of gasoline taxes. One (1) payment has been made. The hold on a liquor license has been lifted due to the repayment plan.

Commissioner Tompkins restated that there was no state liquor license hold at this address.

Mr. Boyle had spoken with a representative of the IL Dept. of Revenue. He had attempted to verify that the IL Liquor Control Commission would issue a state liquor license at this address.

Commissioner Tompkins noted that Commissioner Renner was out of town on City business. He expressed his preference that Commissioner Renner review the testimony of this date's hearing. The Commission would allow comments for Commissioner Renner's review.

Ahmad Samhan, owner/operator and Applicant representative, addressed the Commission. He informed then that a new camera system had been installed. He had also installed four (4) flood lights. The McLean County Health Department had issued a food handler's permit. "No Loitering" signs had been posted. Price Rite was good for the neighborhood. He had hired new employees. The store could not remain open without liquor sales.

Commissioner Jordan questioned if liquor sales would be limited to beer and wine only. Mr. Samhan responded affirmatively.

Commissioner Jordan addressed Mr. Samhan's comments regarding the store's viability, (i.e. that the store would not succeed with only food and gasoline sales).

Mr. Samhan cited the stores dependence upon inside sales. Customers wanted one stop shopping. He believed that total sales would increase by forty percent (40%) with the addition of the sale of beer and wine.

Commissioner Jordan noted that the IL Liquor Commission was part of the IL Dept. of Revenue. He noted that Mr. Samhan's father owned the property. There was a lien on the building. He questioned the arrangements to repay the state.

Mr. Samhan stated that he had opened a new business.

Commissioner Jordan noted that Mr. Samhan was leasing the building from his father. Mr. Samhan responded affirmatively.

David Eades, ADDRESS, addressed the Commission. He cited allegations regarding how this business had been operated. He addressed the neighborhood demographics. Mr. Samhan was attempting to turn the store around. He questioned calls for service for all neighborhood businesses. The neighborhood had issues. He believed that Mr. Boyle was a past Price Rite customer. Business had dropped dramatically. Liquor sales were needed for the business to survive. Mr. Samhan had installed cameras and flood lights. Mr. Samhan had cooperated with

the Police Department. There had been tax issues but there had not been any liquor code violations. Price Rite would be an asset in the neighborhood.

Julie Pell, ADDRESS, addressed the Commission. She had resided in the neighborhood for seven (7) years. She was a Price Rite customer. One stop shopping was better for her. She would like to see Price Rite make a come back.

Commissioner Tompkins questioned the impact of a vacant building.

Commissioner Jordan believed the property would be vandalized.

Mr. Eades readdressed the Commission. Price Rite was located in the central part of the City. There had been changes to the neighborhood's demographics. There would be issues as there had been issues over the years. He cited unsupervised children. Price Rite would be a convenience to the neighborhood. There were a number of individuals who resided in the neighborhood who did not drive. He noted Mr. Samhan's investment in the business. Mr. Samhan was a family man.

Clay Wheeler, Asst. Police Chief, had reviewed statistics. Statistics were reviewed for a three (3) block area. There were a number of variables. The cause was unknown. Since November 1, 2012, calls for service were down ten percent (10%). The Police Department could not tell if the business sales went elsewhere. Residents may have left the neighborhood. There reason for the decline was unknown. The Police Department performed policing not policy. He understood Mr. Samhan's need for a liquor license. There was no perfect answer.

Mr. Eades noted a drug trafficking arrest.

Commissioner Tompkins expressed his concern regarding the impact of a vacant building on a neighborhood in transition.

Asst. Chief Wheeler was unable to tell the future. The store's viability could be influenced by the quality of the work.

Commissioner Tompkins cited the lien on the property. This store could become state owned.

Mr. Boyle stated that the sales price/appraised value was unknown. The impact upon the taxpayers was also unknown. There was a repayment agreement. In addition, the impact of the lien was unknown.

Commissioner Tompkins stated that all issues had been addressed, (i.e. cameras, lights, etc). In addition, the hold had been removed by the state.

Mr. Eades readdressed the Council. He expressed his opinion that the business would close without a liquor license. There was the chance that the taxes would not be recovered.

Mahmoud Qatanani, 3208 Monticello Rd., addressed the Commission. He informed them that he was employed with Remax as a real estate agent. The property had been on the market. He had not been able to sell the building. There was the lien on the property and no liquor license. It would be best to sell the property when the store was open and generating sales/taxes. It was difficult to make a living selling gasoline. The store must survive on inside sales. There were neighborhood issues. Crime was cited. The issue was not liquor sales. He had known the Samhan family since 1990's. They had recognized the issue and entered into a repayment agreement. He acknowledged that there were state liens on the property. The store's future was in the Commission's hands.

Commissioner Jordan questioned the sale price. Mr. Qatanani stated \$1.2 million. He had not an offer for half that price. He restated that there cited the lien on the property and no liquor license. The Samhan's had purchased the business from Hucks. They had done a good job. The property was still for sale.

Commissioner Tompkins noted that new information had been presented. He added that Commissioner Renner would be in attendance at the Commission's April 8, 2014 meeting. The Council would decide whether to create a liquor license or not. The Commission wanted businesses to be successful.

Mr. Samhan was unsure if the store could remain open another month.

Mr. Boyle added that Commissioner Renner could review the record and had the authority to call a meeting of the Liquor Commission. The Commission could make a recommendation to Commissioner Renner. He added that he had not spoken with Commissioner Renner.

Commissioner Tompkins expressed his willingness to support this application.

Commissioner Jordan expressed his concern. He noted the financing particulars. He questioned if the state would issue a state liquor license. The Commission needed to be careful and not set a precedent. There was a debt owed. He would be more comfortable after Commissioner Renner had reviewed the record. If possible the application should be expedited. He also requested that Mr. Boyle review the status of this address with the IL Liquor Control Commission.

Commissioner Tompkins stated that the City would try to expedite the application.

Tracey Covert, City Clerk, informed the Commission that items approved at this date's Liquor Commission meeting would appear on the Council's April 14, 2014 meeting agenda. The Liquor Commission would meet on April 8, 2014. Price Rite could appear on the Commission's April 8, 2014 meeting agenda and placed on the Council's April 14, 2014 meeting agenda.

There being no further business before the Commission, the meeting recessed at 4:40 p.m.

The Bloomington Liquor Commissioner Geoffrey Tompkins called the Liquor Hearing to order to address the review of sanctions and initial violation for 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 Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk.

Commissioner absent: Tari Renner.

Commissioner Tompkins opened the liquor hearing.

George Boyle, Asst. Corporation Counsel, addressed the Commission. He addressed Liquor Violation No. 2013 – 13. The verification was complete. A subsequent Liquor Violation occurred on November 8, 2014. All parties had agreed to carry these items over until the Commission's April 8, 2014 meeting.

Commissioner Tompkins noted that the discussion of Liquor License fees would also be held over until the Commission's April 8, 2014 meeting.

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

Respectfully,

Tracey Covert, CRM, CMC, RMC
City Clerk