



MINUTES
REGULAR SESSION LIQUOR COMMISSION
TUESDAY, MARCH 9, 2021, 4:00 P.M.

This meeting was conducted under Governor Pritzker's Executive Order 2020-07, Section 6, which was reissued and extended by Executive Order 2021-05, and implemented in response to COVID-19, which suspended in-person attendance under the Open Meeting Act, 5 ILCS 120.

The Liquor Commission convened in regular session virtually via Zoom conferencing with Tari Renner, Liquor Commissioner, and Amanda Mohan, Deputy City Clerk, in-person in City Hall's Council Chambers and virtually via Zoom conferencing at 4:00 p.m., on Tuesday, March 9, 2021. The meeting was called to order by Commissioner Tari Renner.

Roll Call

Attendee Name	Title	Status	Arrived
Tari Renner	Commissioner	Present	
Jim Jordan	Commissioner	Remote	
Lindsey Meister	Commissioner	Remote	

Staff Advisors

Staff Present	Title	Status	Arrived
Amanda Mohan	Deputy City Clerk	Present	
George Boyle	Asst. Corporation Counsel	Remote	
Timothy McCoy	Assistant Police Chief	Remote	

Public Comment

Commissioner Renner opened the meeting to receive public comment. Amanda Mohan, Deputy City Clerk, informed the Commission that no individuals had registered speak live and no emailed public comment was received.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled by a Commission member from the Consent Agenda for discussion are listed and voted on separately.

Commissioner Jordan motioned, seconded by Commissioner Meister, to approve the Consent Agenda as presented.

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

AYES: Jordan, Meister, Renner

Motion carried.

Agenda Item 4A. Consideration and action to approve Minutes from the January 12, 2021 Regular Liquor Commission Meeting, as requested by the City Clerk Department.

Agenda Item 4B. Consideration and action to approve Minutes from the February 9, 2021 Regular Liquor Commission Meeting, as requested by the City Clerk Department.

Regular Agenda

The following item was presented:

Agenda Item 5A. Public Hearing and action on the request from MBD BROS, LLC, d/b/a Iron Coyote Challenge Park, located at 4113 E. Oakland Ave., requesting a change in classification from a Class RBS (Restaurant, Beer and Wine Only, and Sunday Sales) to a Class EAS (Entertainment, All Types of Alcohol, and Sunday Sales) liquor license, as requested by the City Clerk Department.

Commissioner Renner introduced the item and asked George Boyle, Assistant Corporation Counsel, to provide additional comments.

Mr. Boyle stated that the Legal Department had no concerns. He then cited the Chapter 6 of the City Code as it related to the change in classification of a liquor license. He then explained the requested change of classification from a Class RBS liquor license where the main focus was a restaurant that offered beer and wine only to an Class EAS liquor license where the main focus of the establishment was entertainment that offered all types of alcohol. He stated that no violations had been issued to Iron Coyote Challenge Park ("Iron Coyote").

Commissioner Renner explained the history behind the entertainment liquor license classification.

Erin Williams, Co-Owner of Iron Coyote, after being sworn, asked her partner Derek Williams to explain their request.

Derek Williams, Co-Owner of Iron Coyote, after being sworn, addressed the Commission and explained the establishment currently offered beer and wine to customers but had received requests for mixed drinks throughout their events. As a result, they brought in an outside vendor to offer mixed drinks to their customers. Mr. Williams stated that they preferred to move the service in house.

Commissioner Jordan asked the reasoning for the classification increase. Mr. Williams reiterated his statements above.

Commissioner Jordan asked if all employees who served alcohol were BASSET trained. Mr. Williams confirmed.

Commissioner Jordan asked if the license was in both Derek and Erin Williams name. Mr. and Mrs. William confirmed the license was in both of their names.

Commissioner Jordan asked the impact on sales if the increased license was approved. Mr. Williams restated that they would rather bring the alcohol sales in-house as opposed to a third party and then explained the ability to offer all types of alcohol was purely for convenience.

Commissioner Jordan asked if Iron Coyote Challenge Park offered video gaming or had interest in video gaming. Mr. Williams responded that they did not offer video gaming, but they had discussed it.

Commissioner Renner stated that the City of Bloomington had issued the allotted number of video gaming licenses.

Commissioner Meister expressed support and understood the desire to change the liquor license classification.

Commissioner Meister motioned, seconded by Commissioner Renner, to approve the change in classification as presented.

Mr. Boyle asked for additional detail on why the establishment classified under sports and entertainment. Mr. Williams responded that their facility was a Ninja Warrior-style gym where customers completed obstacles. A ropes course is suspended above where customers wore a harness to complete a ropes obstacle course in the air. Mr. Williams mentioned that customers cannot consume alcohol and participate in the obstacle courses.

Mr. Boyle asked how staff kept the alcohol separate from those who participated in the obstacle courses. Mr. Williams stated that most requests were received from parents whose children participated in the obstacle courses.

Commissioner Renner compared the establishment loosely to Chuck E. Cheese.

Commissioner Jordan asked for additional detail on Mr. Boyle's question of how staff kept the alcohol separate from participants. Mr. Williams explained Iron Coyote's wristband system where all obstacle course participants received a wristband and if a customer wanted to consume alcohol, staff would cut the wristband off and the participant would no longer be allowed to participate in the obstacle courses.

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

AYES: Jordan, Meister, Renner

Motion carried.

Commissioner Renner confirmed with Amanda Mohan, Deputy City Clerk, that the application would then appear on the first City Council meeting in April.

The following item was presented:

Agenda Item 5B. Public Hearing and action on the request from Casper Brewing Company, LLC, d/b/a Casper Brewing Company, to be located at 3807 Ballybunion Rd., requesting a Class TBPS (Tavern, Beer and Wine Only, Package and Sunday Sales) liquor license, as requested by the City Clerk Department.

David Casper, Applicant and Owner of Casper Brewing Company, after being sworn, address the Commission. He explained his business model as a family-friendly brewery where parents would be encouraged to bring their children. He explained that parents would be able reconnect while they kept an eye on their children who would participate in provided activities. He stated that Bloomington did not have an establishment like the one he proposed.

Commissioner Jordan expressed concerns about the children focused atmosphere. Mr. Casper responded that the focus on children was only to provide them with activities while parents had a beverage. He provided an example of a sicario where he and his wife went out to dinner and had to leave early because their two-year old had a meltdown if the children had more to do, the parents could stay and enjoy themselves for a longer period of time.

Commissioner Jordan reiterated his concern that the focus was on children and parents could consume if they chose and was not supportive. Mr. Casper clarified that the targeted market was parents of children who wanted to drink and happened to bring their children with them to the establishment.

Commission Jordan asked the seating capacity for the establishment and asked the amount of space the children's activities would occupy. Mr. Casper responded there was a

100-person capacity and that the children's activities could occupy 20% of the space. He compared the establishment to Flingers but with more activities for children.

Commissioner Jordan noted that Flinger's focused on pizza. Mr. Casper agreed and stated that his primary focus would be beer.

Commissioner Meister asked if the establishment would only offer beer or if food would be served as well. Mr. Casper responded that they would not serve food as that was not where his passion was.

Commissioner Meister confirmed with Mr. Casper he sought a tavern license.

Mr. Boyle explained that a tavern license permits children as long as they were accompanied by a parent or guardian. Mr. Casper confirmed he had no intention to permit anyone under the age on premises.

Mr. Boyle noted that Carrie Hass, Attorney for Mr. Casper, was also present and available for questions.

Commissioner Renner asked for a motion and noted that, if approved, the item would appear on the first City Council meeting in April.

Commissioner Jordan reiterated his concerns. Mr. Casper responded that he wanted to provide a venue for parents who wanted to drink and happened to bring their children with them and where activities would be available for the children. Mr. Casper expressed concern that the business model was not understood as intended.

Commissioner Renner asked if the applicant establishment would be similar to Destihl in Normal. Mr. Casper responded that if the restaurant portion was removed, it would be identical except Casper Brewing Company would be much smaller.

Commissioner Jordan reiterated his concerns and he had additional discussion with Mr. Casper on children allowed on premises.

Commissioner Renner pointed out that Destihl, while in Normal, had two locations that included one restaurant and one brewery.

Commissioner Renner asked for a motion.

Commissioner Meister disagreed with Commissioner Jordan and explained that both Lil Beaver Brewery and Keg Grove Brewery were not establishments that children were brought, and that Mr. Casper proposed a brewery that provided activities for children if parents wanted to bring them. She believed the business concept was different and supported the opportunity.

Commissioner Meister motioned, seconded by Commissioner Renner, to positively recommend the creation of the license to the City Council.

Mr. Boyle asked Mr. Casper for the premises he would be responsible for and noted that Ms. Haas could be sworn in to answer the questions. Mr. Casper stated he could answer the questions. He noted that 3807 held a liquor license where they were able to sell a six pack of beer to their golfers. He stated that he would offer crows where an individual could purchase to take home or onto the golf course. He did not intend to drive around the golf course to sell to golfers. He noted that the current license holder would relinquish their liquor license if Casper Brewing Company was approved.

Mr. Boyle confirmed with Mr. Casper the intent to serve in the tap room and capability to purchase to go.

Mr. Boyle asked if a representative from The Links at Ireland Grove, the current license holder, was present in the meeting. Mr. Casper confirmed.

Mr. Boyle asked if the representative could be sworn in. Commissioner Renner expressed that he did not believe it was necessary.

Commissioner Jordan reiterated his concerns about children on premises.

Commissioner Renner confirmed with Mr. Casper that he requested a brewery where accommodations would be available if children were brought on premises and that it was not inconsistent with the ordinance.

Commissioner Jordan asked Mr. Boyle if the business model was supported by the liquor ordinance. Mr. Boyle confirmed that the requested model was permitted children were permitted on premises of taverns provided they were accompanied by a parent or guardian.

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

AYES: Jordan, Meister, Renner

Motion carried.

The following item was presented:

Agenda Item 5C. Sanctions Hearing on a Complaint and Citation (#2021-003) issued to Hurley Consolidated Enterprises, LLC, d/b/a Drifters, located at 612 N. Main St., as requested by the Legal Department.

Commissioner Renner asked for an update on the item.

Mr. Boyle explained that the citation was for food and beverage taxes that dated back to January 2020. He explained that the City attempts to reach out to establishments before a citation was issued. He noted that four other establishments also received a citation for unpaid food and beverage taxes at the same time as Drifters and all four had paid their taxes in full as well as a fine. Mr. Boyle stated that the establishment did not reach out to the City but had appeared at the previous Liquor Commission meeting where they admitted to the allegation. He then read an email received by the owner that afternoon and noted his response. Mr. Boyle asked to proceed to sanctions and recommended a \$3,500 fine and taxes paid within 30 days.

Commissioner Renner confirmed with Mr. Boyle the reason for the high fine was the lack of communication and the length of time taxes were unpaid. Mr. Boyle confirmed and noted that the length of time was an anomaly in that violations related to public health and safety were prioritized over food and beverage tax collection throughout the pandemic.

Commissioner Jordan asked if the establishment was conducting business. Mr. Boyle stated he did not believe they were operating.

Mr. Boyle asked Ms. Mohan if a representative was present. Ms. Mohan confirmed that Tayah Minniefield was present.

Commissioner Meister stated it was unfortunate that the City had to enforce such a high fine.

Tanya Minniefield, Owner of Drifters, was sworn in.

Commissioner Renner asked Ms. Minniefield to respond to Mr. Boyle's comments.

Ms. Minniefield expressed that she had not intended to be difficult. She explained that Drifters had been her only source of income and the pandemic caused irregular operations. She confirmed that Drifters had been closed since November when they were previously cited. She explained the lack of communication was a result of her attempting to gain employment in order to provide at home.

Commissioner Renner asked for confirmation on the date Drifters was last open. Ms. Minniefield responded that the establishment was last open in November before the students left for break.

Mr. Boyle asked Ms. Minniefield if she had full time employment and her length of employment. Ms. Minniefield responded she was employed and had been for about a week.

Mr. Boyle confirmed with Ms. Minniefield a statement she made in her email in regard to the willingness to pay all taxes and penalties the next day. Ms. Minniefield confirmed.

Mr. Boyle stated that in light of Ms. Minniefield's response, he had a revised recommendation for the Liquor Commission.

Commissioner Jordan deferred to the Legal Department for advice.

Commissioner Meister asked if the fine would remain the same if all taxes and fines were paid the next day.

Mr. Boyle stated that this was a second violation for the establishment. He then presented an amended recommendation of a fine of \$2,500 if all taxes and fines were paid within seven days, otherwise, an increased fine of \$3,500 where all taxes and fines must be paid within 30 days.

Commissioner Renner confirmed the recommendation with Mr. Boyle. Mr. Boyle stated he recommended a \$3,500 fine to be paid with taxes within 30 days; however, if all taxes and fees are paid within seven days, the fine would be reduced to \$2,500.

Commissioner Renner suggested \$3,500 fine to be paid with taxes within 30 days; however, if all taxes and fees are paid within seven days, the fine would be reduced to \$2,000 to encourage early payment.

Commissioner Meister motioned, seconded by Commissioner Renner, to assess a \$3,500 fine to be paid with taxes within 30 days; however, if all taxes and fees are paid within seven days, the fine would be reduced to \$2,000.

Commissioner Jordan did not support the current motion which reduced the fine to \$2,000 if paid within seven days. He supported the original amended recommendation of a \$2,500 fine if all taxes and fees were paid within seven days.

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

AYES: Meister, Renner

NAYES: Jordan

Motion carried.

The following item was presented:

Agenda Item 5D. Continued Hearing on a Complaint and Citation issued to Mickey's Kitchen, Inc. d/b/a Mickey's Kitchen, located at 1709 S. Veterans Parkway, Suite A, as requested by the Legal Department.

Commissioner Renner asked George Boyle, Asst. Corporation Counsel, for an update on the item.

Mr. Boyle provided a background on the item noting the issues of multiple businesses occupying the same premises. He explained that the establishment had relinquished their license and was no longer in operation. He went on to state the establishment was initially cooperative in providing the past due taxes, but staff have had a difficult time contacting the licensee as the individual did not have electronic access and had illness issues. He stated that staff would reach out via mail and other socially distant alternatives to work towards an agreement. He requested the item be continued to the April 13, 2021 meeting where he hoped staff would present a resolution to the issue.

Commissioner Jordan confirmed with Mr. Boyle that the establishment was not in operation.

Commissioner Jordan motioned, seconded by Commissioner Meister, to continue the item to the April 13, 2021 Liquor Commission meeting.

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

AYES: Jordan, Meister, Renner

Motion carried.

Old Business

No old business was discussed.

New Business

No new business was discussed.

Adjournment

Commissioner Meister motioned, seconded by Commissioner Jordan, to adjourn the meeting.

Motion carried (viva voce).

The meeting adjourned at 4:46 p.m.



Amanda Mohan, Deputy City Clerk