



MINUTES
LIQUOR COMMISSION - REGULAR SESSION
TUESDAY, FEBRUARY 11, 2025, 4:00 PM

The Liquor Commission convened in regular session at 4:00 p.m. Commissioner Mboka Mwilambwe called the meeting to order.

Roll Call

Attendee Name	Title	Status
Lindsey Meister	Commissioner	Absent
Mboka Mwilambwe	Commissioner	Present

Staff Advisors

Attendee Name	Title	Status
Leslie Smith-Yocum	City Clerk	Present
George Boyle	Asst. Corporation Counsel	Present
Chris McAllister	Building Official	Present
Paul Williams	Asst. Police Chief	Present

Public Comment

No public comment was received.

Consent Agenda

No Consent Agenda Items were presented.

Regular Agenda

All license creations, amendments, or transfers are contingent upon compliance with all building, health, and safety codes.

The following item was presented:

Item 5. A. Continued Public Hearing and Action on an Application from Green Top Grocery Cooperative, d/b/a Green Top Grocery, located at 921 E. Washington St., Requesting Approval of a Change in Classification from a Class PAS (Package, All Types of Alcohol, and Sunday Sales) to a Class PAPS (Package, All Types of Alcohol, On or Off Premises, and Sunday Sales) Liquor License and a Redefinition of Premises to include the adjacent Patio Area.

Commissioner Mwilambwe opened the Public Hearing at 4:05 p.m.

Leslie Yocum, City Clerk, provided a report on the status of the application and mentioned that a call with the Applicant's representative had occurred between Mrs. Yocum, Ashley Lara, Records & Licensing Specialist, and Allison Smith, General Manager of Green Top Grocery Cooperative. The call included Mrs. Yocum providing clarification and education to the Applicant on numerous permit types. She explained that the Applicant following the call had requested to amend the application to include only the patio space west of the building, and no longer including the sidewalk to the south of the business. Mrs. Yocum clarified that the existing lease outlined the Applicant's exclusive use of the patio area.

Commissioner Mwilambwe confirmed that the exterior redefinition of premises would now only include the patio area. Mrs. Yocum agreed.

Assistant Corporation Counsel George Boyle noted that staff were supportive of the patio area and explained that Chris McAllister, Building Safety Official, would address concerns with the provided site plans.

Allison Smith, General Manager of Green Top Grocery Cooperative, after being sworn, addressed the Commission. Ms. Smith explained that the motivation behind the requested changes were to increase networking and event opportunities. She indicated she wanted to amend the request to include the first floor, west of the mezzanine, and the mezzanine, in addition to the patio area. She explained the reason for the additional space inside the store was because customers would travel through the space to get to the mezzanine and patio area.

Commissioner Mwilambwe asked how alcohol would be monitored in the patio area to prevent underage drinking. Ms. Smith explained that she would be open to suggestions, such as required fencing, and noted that the events would be small, intimate gatherings with no more than 50 attendees. She stated that all alcohol sales would be done through the register where identification would be checked each time and stated that staff would monitor the approved areas.

Commissioner Mwilambwe asked what a typical event would look like. Ms. Smith explained that all alcohol sales would be run through the register, with the exception of some special events that could require sales outside. She noted that for typical events, food and non-alcoholic beverages would be sold at an outdoor booth, and customers would be required to go inside to purchase any alcoholic beverages.

Ms. Smith stated that she believed that outside gatherings would have around 30 people six or so times per year. She mentioned that on nice days, customers could come in for lunch, purchase a beer, and then enjoy it outside on the patio.

Commissioner Mwilambwe asked how closely alcohol would be monitored after purchase and gave the example of someone underage but passing for 21 sitting with the person who purchased the alcohol. Ms. Smith explained that they had stringent processes in place at the registers and noted that there were glass windows that overlooked a majority of the patio for visibility. She stated that they currently did not have staff monitoring the area but would work with staff to ensure proper monitoring would occur.

Commissioner Mwilambwe mentioned that in the past, some establishments provided wristbands to those who were 21+. Ms. Smith noted that wristbands would be considered for bigger events, but not when someone would just purchase alcohol to consume on the patio.

Commissioner Mwilambwe verified the hours of operation and asked if all staff would be BASSET Certified. Ms. Smith stated the hours are 8 a.m. to 8 p.m. and that staff were trained.

Commissioner Mwilambwe ask if other staff had input.

Mr. McAllister recommended that the redefinition of premises be modified to include the mezzanine area, the first floor west of the mezzanine, and the patio area as described. He noted that the occupancy for the mezzanine space was 49 and requested that for events, the mezzanine area be set up with chairs and tables to avoid standing-room-only because the space did not have enough exits to accommodate more.

Asst. Chief of Police, Paul Williams, asked if people would be permitted to walk around the store with open alcohol, or if consumption would be confined to the teaching kitchen area.

Ms. Smith clarified that she did not envision open alcohol in the aisles and that alcohol consumption would be limited to the teaching kitchen area during events. She stated that if it were a nice day, customers could walk from the teaching kitchen to the outside patio with a beverage. Asst. Chief Williams expressed concern about the logistics of monitoring who was providing alcohol to whom, especially if there were underage individuals present. Ms. Smith said they would need to come up with a system to address it, and asked if the Commission had any particular regulations they would recommend in that regard.

Asst. Chief Williams noted that this type of arrangement, with the ability to move alcohol from the interior teaching kitchen to the exterior patio, was not something they had seen elsewhere in Bloomington. He expressed concern about the logistics of customers walking through the store with open alcohol to get to the patio. Ms. Smith clarified that the patio area was restricted to their specific leased space and that customers would not be able to venture beyond that into the parking lot. Asst. Chief Williams reiterated that open alcohol and moving cars are a bad combination, so he was glad the events would be confined to the patio area.

Commissioner Mwilambwe agreed with Asst. Police Chief Williams that a system would need to be put in place regarding monitoring underage drinking after the purchase was made.

Ms. Smith described the variety of events she was hoping to host, from small networking gatherings to larger sampling events, and stated she would work with staff to develop appropriate monitoring procedures.

Asst. Police Chief Williams asked if there was a camera facing the patio that could record in the event someone was violating the rules. Ms. Smith noted that while there were no cameras on the patio area, the Professional Storage building to the south had several cameras that pointed toward the patio space.

Mr. Boyle asked if the site plan Mr. McAllister requested was submitted. Ms. Yocum explained that the plan on file included the areas detailed in the amended request. Mr. McAllister noted that a markup was made and asked Ms. Smith to formalize the plan so it could be provided.

Mr. Boyle confirmed that outside of the formalized site plan and occupancy limits of the mezzanine area, Mr. McAllister had no additional concerns. Mr. McAllister confirmed and noted that a physical occupancy sign would be required to be posted. Ms. Yocum stated that the occupancy limit could be noted on the license as well.

Ms. Yocum asked if occupancy limits were issued to outdoor spaces. Mr. McAllister answered no, but explained that if the area were fenced in, it could be assessed as well to ensure the amount of exits and other safety concerns were taken into account.

Commissioner Mwilambwe asked if the area would be fenced in or if there would be some type of separation made clear. Ms. Smith explained that for events she would be open to some type of fencing, but that they would not have fencing permanently.

Ms. Yocum clarified the difference between permit types for larger events versus the redefinition of the primary premises that were being discussed.

Mr. Boyle noted that the Commissioner had the option to place a condition restricting the sale of certain types of alcohol.

Commissioner Mwilambwe explained that he was not concerned about the amount of alcohol sales, but wanted to feel more comfortable with the plan to monitor the patio area and ensure underage individuals did not access or consume alcohol. Ms. Smith discussed potential measures, such as the addition of signage prohibiting underage consumption, the restriction of

patio tables to areas with clear visibility from inside the store, and closely monitoring each party. Commissioner Mwilambwe emphasized the importance of having a plan in place, beyond the reliance on signage, to address the concerns raised.

Ms. Smith discussed potential measures to monitor the patio area, acknowledging the challenges. She noted that it was a common thing for people to have alcohol in restaurants with underage also at the table. She confirmed there would not be staff at each table and emphasized that the amount of alcohol purchased and consumed would most often be small and easier to monitor. She proposed restricting consumption to a fenced-off area to better control access for larger events. She explained that the majority of their customers were familiar faces, so unfamiliar individuals would be more noticeable. She noted that they would work to implement appropriate measures to address their concerns about underage consumption.

Commissioner Mwilambwe asked if there was anyone in the audience present to speak for or against the item. No one came forward.

Commissioner Meister closed the Public Hearing at 4:35 p.m.

Commissioner Mwilambwe approved the amended Redefinition of Premises request to include the teaching kitchen, the mezzanine and the first floor West of the mezzanine, in addition to the defined patio area, and positively recommended the Change in Classification to Council as presented.

The following item was presented:

Item 5. B. Review Sanctions on a Citation Issued to TVEO Corporation, d/b/a Eric's Too, located at 921 Maple Hill Rd., for Violating Chapter 6, Section 26(a) of the Bloomington City Code Relating to Selling Alcohol to a Minor.

Assistant Corporation Counsel George Boyle reported that this was the business' 4th sale to an underage person in the last two years and explained that the establishment had been fined and paid \$1,600 with a single day of suspension. He noted there had been issues with the establishment selling alcohol during its agreed upon suspension period, and that the Commission was in negotiations with the establishment to determine additional sanctions.

Commissioner Mwilambwe continued the Item until the March 11, 2025, Liquor Commission meeting.

Old Business

- Report of Resolution of Complaint Against MCO QSR, Inc. d/b/a Froth & Fork, Located at 712 S. Eldorado Rd.

Assistant Corporation Counsel George Boyle reported that the Resolved Complaint was the establishment's 5th compliance check failure in two years, which resulted in the settlement of a \$2,000 fine and a one-day suspension. He noted the Establishment paid the fine and did not serve during the suspension, so the matter would be settled.

New Business

No New Business was discussed.

Adjournment

Commissioner Mwilambwe adjourned the meeting.

The Meeting Adjourned at 4:39 p.m.

CITY OF BLOOMINGTON

Mboka Mwilambwe

Mboka Mwilambwe, Commissioner

Leslie Smith-Yocum

Leslie Smith-Yocum, City Clerk

