



LIQUOR COMMISSION MEETING
CITY HALL, COUNCIL CHAMBERS
109 E. OLIVE ST, BLOOMINGTON IL 61701
TUESDAY, JANUARY 12, 2016 4:00 P.M.

- 1 Call to order
- 2 Roll Call
- 3 Public Comment
- 4 Consideration of approving the Commission minutes of December 8, 2015.
- 5 Consideration of the application of B & M 16, Inc., d/b/a Cousin's Restaurant, located at 921 Maple Hill Rd., requesting a RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.
- 6 Consideration of the application of Wallace LLC, d/b/a Satio, located at 306 N. Center St. Ste. 102, requesting an RAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types packaged alcohol for consumption off premise seven (7) days a week.
- 7 Consideration of the application of OSF St. Joseph Medical Center Foundation, located at 2200 E. Washington St., for a Limited Alcoholic Liquor License, Class LA, which would allow the selling and serving of all types of alcohol by the glass for consumption on the premises for a fund raiser to be held on February 26, 2016 from 6:00 to 8:30 p.m.
- 8 Consideration of a Change of Member positions from Ireland Grove, LLC, d/b/a The Links at Ireland Grove Rd., located at 3807 Ballybunion Rd, currently holding an RBS liquor license which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week. Changes are as follows: Harold L. Hoferle to Hoef II, Inc., Jeffrey A. Hunt to J.A. Hunt Consulting Co. Addition: Darren Rogers.
- 9 Consideration of a Change and Addition for Officer positions from Red Lobster Hospitality, LLC, d/b/a Red Lobster #0130, located at 714 S. Eldorado Rd., currently holding an RAPS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types packaged alcohol for consumption off premise seven (7) days a week. Changes are: President Carl Bradford Richmond to William Lambert. Additions are as follows: Kim Lopdrup, LLC Manager; Norma River, Vice President and Asst. Secretary and Doug Wentz, Vice President and Treasurer.
- 10 Adjournment



LIQUOR COMMISSION MEETING REVISED

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- 10 Discussion of video gaming regulation, licensing and fees.
- 11 Adjournment

Memorandum

From: George Boyle, Assistant Corporation Counsel

To: Liquor Commission

January 11, 2016

Re: Video Gaming Regulation and Fees

This memorandum will describe recent case law regarding municipal regulation of video gaming. It will also discuss how one central Illinois community, Urbana, regulates video gaming and imposes fees.

On December 11, 2015, in the case of Accel Entertainment Gaming, LLC v. Village of Elmwood Park, 2015 IL App (1st) 143822, the First District Appellate Court upheld the Village's home-rule ordinance regulating video gaming and imposing a \$1,000.00 fee per terminal. The Court held regulation of video gaming was not preempted by the State's Video Gaming Act. The Court found that although the State has a general interest in regulating video gaming, as well as in such areas as raising revenue and promoting tourism, the Village has more specific or "vital" interests concerning regulating video gaming within its boundaries and that the ordinance promoted the health, safety, and general welfare of the residents of the Village. As of this writing, I am not aware of whether the case is being appealed to the Illinois Supreme Court.

The Commission requested staff to research how other central Illinois communities regulate video gaming. One such community is the City of Urbana, which regulates video gaming primarily through its liquor licensing ordinance. Bars and restaurants having liquor or food as their primary revenue source that also have video gaming may obtain a G1 liquor license for \$500.00 per year and pay a \$1,000.00 per machine fee. The G1 license is in addition to the primary liquor license. Urbana allows video gaming cafes, which must obtain a G2 license for \$5,776.00 per year, and an annual fee of \$1,000.00 per machine. Thus, a bar or restaurant that has video gaming ancillary to its primary business and having 5 machines would pay the city \$5,500.00 annually in license and fees, in addition to the fee for its primary liquor license. Video gaming cafes having 5 machines pay the city \$10,776.00 per year. According to the Illinois Gaming Board website, Urbana has a total of 17 establishments with video gaming and a total of 76 terminals. See the attached report for annual totals (January-November) for several nearby municipalities.

The City of Bloomington currently imposes no fees on video gaming establishments. According to the Illinois Gaming Board's website, Bloomington has 58 establishments that have video gaming and a total of 250 machines. Imposing license and machine fees similar to Urbana's, Bloomington would raise approximately \$279,000.00 in annual revenue.