

**MINUTES
PUBLISHED BY THE AUTHORITY OF
THE LIQUOR COMMISSION OF THE CITY OF BLOOMINGTON, ILLINOIS
TUESDAY, AUGUST 13, 2019, 4:00 P.M.**

The Liquor Commission convened in Regular Session in the Council Chambers, City Hall Building at 4:04 p.m., Tuesday, August 13, 2019.

Commissioner Jordan directed the City Clerk to call the roll and the following answered present:

Present: Commissioners Tari Renner, Lindsey Powell and Jim Jordan.

Staff present: Greg Moredock, Attorney with Sorling Northrup and Amanda Mohan, Deputy City Clerk.

Public Comment

Commissioner Renner opened the meeting to receive public comment. No public comments were received.

The following was presented:

Item 4. Consideration of approving the Revised Minutes from the June 11, 2019 Regular Liquor Commission Meeting, as requested by the City Clerk Department.

Commissioner Jordan confirmed with the Deputy Clerk that changes were minor.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to approve the minutes.

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

Ayes: Commissioners Renner, Powell, and Jordan.

Nays: None.

Motion carried.

The following was presented:

Item 5. Consideration and action on the July 9, 2019 Regular Liquor Commission Meeting Minutes, as requested by the City Clerk Department.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to approve the minutes.

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

Ayes: Commissioners Renner, Powell, and Jordan.

Nays: None.

Motion carried.

The following was presented:

Item 5. Consideration and action on the July 16, 2019 Special Liquor Commission Meeting Minutes, as requested by the City Clerk Department.

Commissioner Jordan made a motion, seconded by Commissioner Powell, to approve the minutes.

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

Ayes: Commissioners Renner, Powell, and Jordan.

Nays: None.

Motion carried.

The following was presented:

Item 7. Consideration and action on a request for the Suspension of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code Prohibiting Alcohol on Public Property as they pertain to the Davis Lodge on September 6, 2019 to allow moderate consumption of alcohol for the Sunken and Hites wedding reception, as requested by the City Clerk Department.

Ciji Sunken, bride to be, addressed the Commission. She told the Commission that approximately 120 guests are anticipated to attend the event, which would be catered by Lake Road Inn. She confirmed that only beer would be served and that the event would be held from 5:30 p.m. to 9:30 p.m.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to approve.

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

Ayes: Commissioners Renner, Powell, and Jordan.

Nays: None.

Motion carried.

The following was presented:

Item 8. Consideration and action on a request for the Suspension of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code Prohibiting Alcohol on Public Property as they pertain to the Davis Lodge on September 28, 2019 to allow moderate consumption of alcohol for the Erwin and Bothast wedding reception, as requested by the City Clerk Department.

Nicholas Erwin, groom to be, addressed the Commission. He told the Commission that approximately 100 guests are anticipated to attend the event, which would be catered by Childer's Catering of Peoria, IL. He confirmed that only beer and wine would be served and that the event would be held from 5:30 p.m. to 10:00 p.m.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to approve.

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

Ayes: Commissioners Renner, Powell, and Jordan.

Nays: None.

Motion carried.

The following was presented:

Item 9. Continuation on the Public Hearing on an application for T-V-E-O Corporation, d/b/a Eric's Too, located at 921 Maple Hill Road, requesting a permanent extension of premise allowing for an Outdoor Service or Consumption Area, as requested by the Liquor Commission.

Commissioner Renner informed the Commission that this item would be continued until the next Liquor Commission meeting in order to have both the usual City's Assistant Corporation Counsel and himself present to discuss this item.

The following was presented:

Item 10. Public Hearing on the Application of SmokQue Inc., d/b/a Brass Pig Smoke and Ale House, requesting an RAS (Restaurant, All Types of Alcohol, and Sunday Sales) liquor license, located at 602 N. Main Street, which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department.

Commissioner Renner opened the Public Hearing at 4:11 p.m.

Tyler Holloway, Owner of Brass Pig Smoke and Ale House, was sworn in and then addressed the Commission. He gave the Commission a brief overview of the business model and the plans for the business. The restaurant will be a smokehouse with smoked meats and vegetables and they plan to have a catering menu. The hours of operation will be 11:00 a.m. to 1:00 a.m. during the week and open until 2:00 a.m. on weekends with most receipts to come from food.

Commissioner Renner stated Mr. Holloway is the owner of Fat Jack's in Downtown Bloomington and a restaurant in Uptown Normal.

Commissioner Jordan expressed concerns about the seating capacity and how the business will card individuals. Mr. Holloway responded stating there will be a capacity for 100 patrons with 40 in bar and 60 in dining area. The BASSET trained staff will card patrons, there will be a host for dinner, and security for late night.

Commissioner Renner asked if there were any citizens who would like to speak in favor of this business.

Jan Lancaster, President of the Downtown Business Association, stated the Association discussed this business at their last meeting and everyone is thrilled and excited for it. She believes it will be a great addition to the Downtown area.

Commissioner Jordan expressed concerns about video gaming in the establishment. Mr. Holloway responded stating they do intend to apply for video gaming but for the mean time, they are using the area for bar seating.

Commissioner Renner asked if there were any citizens who would like to speak against this application. None came forward.

Commissioner Renner closed the Public Hearing at 4:17 p.m.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to approve.

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

Ayes: Commissioners Renner, Powell, and Jordan.

Nays: None.

Motion carried.

The following was presented:

Item 11. Public Hearing on the Application of Breatheblm, LLC, d/b/a Breathe, located at 1804 S. Hershey Rd., Unit 10, requesting a Class RAS (Restaurant, All Types of Alcohol, and Sunday Sales) 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, as requested by the City Clerk Department.

Commissioner Renner opened the Public Hearing at 4:18 p.m.

Kelly Thoennes, Owner of Breathe, was sworn in and then addressed the Commission. She gave the Commission a brief overview of the business model and the plans for the business. She would like to bring a fine dining restaurant to the southeast side of Bloomington. There will be a seating capacity of 45 to 60 seats with 8 seats around bar. Tuesdays through Saturday from 4:00 p.m. to 9:00 p.m. and Fridays through Saturdays from 4:00 p.m. to 10:00 p.m.

Commissioner Jordan confirmed that the location was next to Lucky Sevens and expressed concerns about obtaining a video gaming license. Ms. Thoennes confirmed the location and stated she had no interest in video gaming.

Commissioner Renner asked if there were any citizens who would like to speak for or against this application. None came forward.

Commissioner Renner opened the Public Hearing at 4:20 p.m.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to approve.

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

Ayes: Commissioners Renner, Powell, and Jordan.

Nays: None.

Motion carried.

The following was presented:

Item 12. Public Hearing on the Application of Around the Corner II, Inc., d/b/a JP's Wheel & Ale House, located at 409 Hershey Rd., requesting a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) 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, as requested by the City Clerk Department.

Commissioner Renner opened the Public Hearing at 4:20 p.m.

Gary Biddle, owner of JP's Wheel & Ale House, was sworn in and then addressed the Commission. He gave the Commission a brief overview of the business model and the plans for the business. He stated he owns DR McKay's and mentioned it as a reference point. They are planning to do a more upscale version of DR McKay's food with a focus on pizza and chicken

dinners. They will be offering delivery, more dinner items, pizza buffet for the quick lunch crowd, and eventually breakfast. He stated they are remodeling the establishment and it will hold approximately 140 patrons with 25 seats in bar and the availability to have up to 40 with standing availability.

Commissioner Renner inquired about the intentions of applying for a video gaming license. Mr. Biddle responded stating they would be applying but, the license would not be vital to business. He also intends to have a dart machine and a golf game as additional sources of entertainment for patrons.

Mr. Biddle continued by stating he chose a tavern license because of the pricing of menu items and pricing structure but, they intend to sell more food than liquor. He also mentioned they found with DR McKay's the food sales verses beverage sales were very close.

Commissioner Powell confirmed the hours of operation with Mr. Biddle as 6:00 a.m. to 1:00 a.m. Monday through Thursday and 6:00 a.m. to 2:00 a.m. Friday through Sunday.

Commissioner Jordan multiple expressed concerns video gaming and the classification of the requested liquor license. He stated DR McKay's relies heavily on the video gaming revenue and is concerned that JP's Wheel and Ale House will do the same since with a tavern license there is no incentive to for food sales. He recommended the owner reapply for a Class RAS (Restaurant, All Types of Alcohol, and Sunday Sales) liquor license. Mr. Biddle responded stating his reasonings again for selecting a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) liquor license.

Commissioner Renner asked Greg Moredock, Attorney with Sorling Northrup, if a restaurant has a Class RAS license, would they have to adhere to the 51% food sales every month. Mr. Moredock stated they typically review a three-month period for food and beverage sales.

Commissioner Powell expressed concerns about the age limit of patrons allowed to be served with a Class TAS license especially if breakfast would be served. Discussion was had by the Commission.

Commissioner Renner stated the seating suggests a restaurant over a tavern and asked for a comparison to DR McKay's seating. Mr. Biddle stated most of the seating is in front of the bar with 20 seats at the bar and 40 seats in front of the bar with a total of 60 seats available.

Commissioner Jordan expressed strong concern again on the potential to obtain a video gaming license and the classification of the requested liquor license. He stated he is not in favor of the tavern liquor license.

Commissioners Renner and Jordan asked Mr. Moredock if the applicant reapplied for a Class RAS liquor license, what would the process be. Mr. Moredock stated the item would need to come back before the Liquor Commission at the next scheduled meeting if a special meeting was not held.

Commissioner Powell stated she is in favor of the license type but feels that it will restrict the age range of the clientele.

Commissioner Renner asked if there were any citizens who would like to speak for or against this application. None came forward.

Commissioner Renner closed the Public Hearing at 4:43 p.m.

Commissioner Powell made a motion, seconded by Commissioner Renner, to approve as is and send to the City Council for approval.

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

Ayes: Commissioners Renner and Powell.

Nays: Jordan.

Motion carried.

The following was presented:

Item 13. Consideration and action on the first appearance for Violation Citation of Fiesta Ranchera of West Bloomington, Inc., d/b/a Fiesta Ranchera #6, located at 1041 JC Parkway, for violating Section 26(a) of Chapter 6 of the Bloomington City Code prohibiting the sale of alcohol to a minor, as requested by the Legal Department.

Greg Moredock, Attorney with Sorling Northrup, explained the business paid the \$600.00 fine.

The following was presented:

Item 14. Consideration and action on the first appearance for Violation Citation of The Olive Garden Italian Restaurant, d/b/a Olive Garden Italian Restaurant #1414, located at 1701 E Empire Street, for violating Section 26(a) of Chapter 6 of the Bloomington City Code prohibiting the sale of alcohol to a minor, as requested by the Legal Department.

Greg Moredock, Attorney with Sorling Northrup, explained the business paid a \$600.00 fine.

The following was presented:

Item 15. Consideration and action on the first appearance for Violation Citation of BayMT, Inc., d/b/a Western Tap, located at 1301 N. Western Avenue, for violating Section 26(a) of Chapter 6 of the Bloomington City Code prohibiting the sale of alcohol to a minor, as requested by the Legal Department.

Greg Moredock, Attorney with Sorling Northrup, explained the business paid a \$600.00 fine.

The following was presented:

Item 16. Consideration and action on the first appearance for Violation Citation of TVEO Corporation, d/b/a Eric's Too, located at 921 Maple Hill Road, for violating Section 26(a) of Chapter 6 of the Bloomington City Code prohibiting the sale of alcohol to a minor, as requested by the Legal Department.

Greg Moredock, Attorney with Sorling Northrup, explained the business paid a \$600.00 fine.

The following was presented:

Item 17. Consideration and action on the first appearance for a Complaint and Citation of PSM Shell, Inc., d/b/a PSM Shell, located at 2401 E. Oakland, Suite As, for violating Chapter 6, Section 37(e)(12) of the Bloomington City Code for failure to pay City of Bloomington Motor Fuel taxes for the month of May, 2019, as requested by the Legal Department.

Greg Moredock, Attorney with Sorling Northrup, explained the business paid the \$8,312.31 in taxes as well as a \$600.00 fine.

The following was presented:

Item 18. Consideration and action on the first appearance for a Complaint and Citation of Grand Café, LLC, d/b/a Grand Café - Oakland Avenue, located at 2205 E. Oakland, Suite A2, for violating Chapter 6, Section 37(e)(12) of the Bloomington City Code for failure to pay City of Bloomington Food and Beverage taxes for the months of April through June, 2019, as

Commissioner Renner stated this item was postponed.

The following was presented:

Item 19. Consideration and action on the notification of Change of Ownership from Mercedes Restaurants, Inc., dba Famous Dave's BBQ, located at 1603-B Morrissey Drive, as requested by the City Clerk Department.

The following was presented:

Item 20. Consideration and action on the notification of Change of Officers from Sodexo America, LLC, dba Tommy's, located at 300 E. Beecher Street (Hansen Center), as requested by the City Clerk Department.

Old Business

New Business

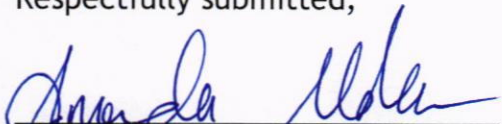
Adjournment

Commissioner Powell made a motion, seconded by Commissioner Jordan, to adjourn.

Motion carried unanimously (viva voce).

The meeting adjourned at 4:46 p.m.

Respectfully submitted,



Amanda Mohan, Deputy City Clerk