



**MINUTES  
PUBLISHED BY THE AUTHORITY OF  
THE LIQUOR COMMISSION OF THE CITY OF BLOOMINGTON, ILLINOIS  
TUESDAY, AUGUST 11, 2020, 4:00 P.M.**

*This meeting was conducted under Governor Pritzker’s Executive Order 2020-07, Section 6 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 both in-person in City Hall’s Council Chambers and virtually via Zoom conferencing at 4:05 p.m., on Tuesday, August 11, 2020. The meeting was called to order by Commissioner Tari Renner.

**Roll Call**

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

**Staff Advisors**

Staff Present	Title	Status	Arrived
Amanda Mohan	Deputy City Clerk	Remote	
George Boyle	Asst. Corporation Counsel	Remote	
Gregory Scott	Asst. Police Chief	Remote	
Chris McAlister	Building Official	Remote	

**Public Comment**

Commissioner Renner opened the meeting for public comment. Amanda Mohan, Deputy City Clerk, stated no one had registered to speak live and no emailed public comments were received.

**Agenda**

The following item was presented:

Item 4. Consideration and action to approve Minutes from the July 14, 2020 Regular Liquor Commission Meeting, as requested by the City Clerk Department.

**Commissioner Powell motioned, seconded by Commissioner Renner, to approve the Minutes from the July 14, 2020 Regular Liquor Commission Meeting as presented.**

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

**AYES:** Powell, Renner

**Motion carried.**

The following item was presented:

Item 5. Public Hearing and action on the Application of Ralben, Inc., d/b/a Cadillac Jacks, located at 1507 S. Main St., requesting to redefine their approved area for service and consumption to allow an expanded Outdoor Service and Consumption Area, as requested by the City Clerk Department.

The following Commissioners were present for the Public Hearing: Powell and Renner.

Commissioner Renner opened the Public Hearing at 4:06 p.m.

Commissioner Renner asked if anyone had registered to speak for or against the application. Ms. Mohan responded that no one registered to speak live nor submitted emailed public comment.

Commissioner Renner asked George Boyle, Assistant Corporation Counsel, for additional information on the item. Mr. Boyle informed the Commission that before the Hearing, the Legal Department learned of unpaid taxes owed by a related corporation. He stated he spoke with Mr. Bentley, President and Secretary of Cadillac Jacks, to discuss the matter and that both parties agreed the outstanding taxes would be paid by the end of the week.

Mr. Boyle explained that Mr. Bentley was the President and Secretary of both Cadillac Jacks (applicant) and of Bentley Motors, Inc. (related corporation). He went on to explain the outstanding taxes owed by Bentley Motors, Inc. were Bloomington Sales Use Tax from June of 2019 to present in an estimated amount of approximately \$12,500. Mr. Boyle stated that the Legal Department recommended that approval of the outdoor service area be made contingent upon payment of outstanding taxes. He noted that in 2019, Cadillac Jacks had permitting issues that were settled and a payment agreement was in place which Mr. Bentley had continued to pay. He concluded that the Legal Department had no objections to the application.

Ms. Mohan stated for the record that the Commission was supplied with copies of the three exhibits for the Public Hearing. She stated a copy of the public comment email that was submitted for the July 14, 2020 Liquor Commission which expressed concerns (Exhibit A) was provided. She went on to explain that the applicant submitted a photo of a wall that was built to muffle amplified sounds to the neighboring residents (Exhibit B) as well as a copy of a letter that he delivered to local residents before an event (Exhibit C).

William Bentley, Owner of Cadillac Jacks, after being sworn, addressed the Commission. He stated he was requesting an additional expansion to the outdoor beer garden. He expressed the need for the additional space was due to COVID encouraging customers to dine outdoors and he was fortunate to have the space to expand.

Commissioner Powell confirmed the initial application did not request amplified sound, but this application did. Mr. Bentley confirmed and stated under the COVID Outdoor Service program, they have had live music. He stated with a limitation on indoor dining capacity, the ability to provide indoor bands was not feasible whereas providing outdoor bands would allow entertainment and profits. He stated it also provided socialization for customers and employees off unemployment.

Commissioner Powell stated she appreciated the letter to residents (Exhibit C) that Mr. Bentley provided. Mr. Bentley responded that in light of the complaint received at the previous Liquor Commission, he hand-delivered a letter to the local residences and explained an event would take place and asked residents to contact him if the music was too

loud. He stated he also built a temporary wall in between two of the buildings on premises (Exhibit B) that muffled the sounds going to neighboring residences.

Commissioner Powell asked at what time the live music or outdoor music stopped. Mr. Bentley responded that live music typically stopped around 10:00 p.m. but could extend until 10:30 p.m. He stated he learned that prior to the complaint received at the July Liquor Commission meeting, the sound system was not limited and would be increased in volume as the night went on. He stated that since then, he had the company make a service call to place a maximum volume threshold on the sound system. He stated that during events, he was on premises and would walk the perimeter to ensure the noise level was not too loud.

Commissioner Powell asked out of the residents who received the letter, if any reached out to complain. Mr. Bentley responded that none reached out and he also offered them a free meal if they brought the letter with them to foster a neighboring relationship.

Commissioner Renner expressed his appreciation for Mr. Bentley's outreach to the neighbors. He confirmed with Ms. Mohan that no complaints had been received by the City Clerk Department since the July 14, 2020 Liquor Commission meeting. Ms. Mohan confirmed.

Commissioner Renner asked Mr. Bentley if he had any additional comments. Mr. Bentley informed the Commission that he maintained the alley between Cadillac Jacks and the residences by attending to the weeds. He stated he also owned multiple rental houses near Cadillac Jacks and that he even had blacktopped a portion of the alley and filled potholes in the alley.

Mr. Boyle confirmed with Mr. Bentley the agreement to pay the outstanding Bloomington Normal Vehicle Use Tax by the end of the week. Mr. Bentley confirmed.

Mr. Boyle asked Mr. Bentley at what time music would stop. Mr. Bentley reiterated their music procedures under the current permissions.

Mr. Boyle asked Mr. Bentley how he wanted to proceed post-COVID permissions. Mr. Bentley responded he would request the ability for outdoor live bands from the Liquor Commission in the future, but until then, he wished to operate under the COVID permissions for outdoor dining and entertainment. Mr. Bentley explained he did not build the extension with the intention to have constant outdoor live music.

Mr. Boyle asked Mr. Bentley if was open to a condition placed on the approval that post-COVID, no outdoor live music would be allowed. Mr. Bentley responded affirmatively.

Mr. Boyle asked how late the recorded music be allowed and how late the outdoor area would be open. Mr. Bentley responded he preferred to have the recorded music during regular business hours but believed there would be no issues with noise after the recent system limitations.

Mr. Boyle confirmed with Mr. Bentley he intended to operate the outdoor area consistent with normal hours of operation. Mr. Bentley confirmed.

Commissioner Renner asked Greg Scott, Assistant Police Chief, if the Police Department received any calls to service for Cadillac Jacks and if they had any additional concerns. AC Scott responded they did not.

Commissioner Renner reiterated for the record that the Police Department had no concerns, that no additional complaints calls or emails were received, that no additional

testimony against the application was received, and that Mr. Bentley had reached out to residents to remedy any issues.

Commissioner Renner suggested the item was approved with a 12:00 a.m. (midnight) closure during the week and a 2:00 p.m. on the weekend with the knowledge that the applicant may return after six months to request the limitation be lifted.

Commissioner Renner closed the Public Hearing at 4:32 p.m.

Commissioner Powell motioned, seconded by Commissioner Renner, to positively recommend the application to City Council on the condition that the Outdoor Service and Consumption Area closes at midnight Sunday through Thursday and closes at 2:00 a.m. on Friday and Saturday; and contingent on taxes for Bentley Motors, Inc. being paid current; and contingent upon compliance with all building, health, and safety codes.

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

**AYES:** Powell, Renner

**Motion carried.**

The following item was presented:

Item 6. Public Hearing and action on the Application of Aldi, Inc., d/b/a Aldi, Inc. #54R, to be located at 907 Maple Hill Road, requesting a Class PBS (Package, Beer and Wine Only, and Sunday Sales) liquor license, as requested by the City Clerk Department.

The following Commissioners were present for the Public Hearing: Powell and Renner.

Commissioner Renner opened the Public Hearing at 4:34 p.m.

Commissioner Renner asked Ryan Moredock, Aldi District Manager, to describe their application. Mr. Moredock responded that they were building a replacement store down the road from their current location on 1025 Wylie Drive with a projected opening date of September 17, 2020.

Commissioner Powell noted the license requested was same as the current location.

Mr. Boyle responded that the Legal Department had no objections to the application.

Commissioner Renner asked if anyone had registered to speak for or against the application. Ms. Mohan responded that no one registered to speak live nor submitted emailed public comment.

Mr. Boyle asked Mr. Moredock for confirmation on the similar business plan for the new location. Mr. Moredock confirmed the new location would operate under similar business and operation plans to their current location with the same liquor license requested.

Ryan Moredock, Aldi District Manager, was sworn in.

Commissioner Renner confirmed with Mr. Moredock under sworn testimony that the new location would operate under similar business and operations plans. Mr. Moredock confirmed.

Commissioner Renner closed the Public Hearing at 4:36 p.m.

Commissioner Powell motioned, seconded by Commissioner Renner, to positively recommend to Council the approval of the application and license as presented, contingent upon compliance with all building, health and safety codes.

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

**AYES:** Powell, Renner

**Motion carried.**

The following item was presented:

Item 7. Continued Hearing on Europe, Inc., d/b/a Chasers, located at 110 W. Washington Street, on a Complaint and Citation alleging violations of Chapter 6, Section 27(b) of the Bloomington City Code prohibiting minors in a tavern, as requested by the Legal Department.

Commissioner Renner asked Mr. Boyle to provide an update. Mr. Boyle stated this item stemmed from allegations that the licensee allowed minors in their tavern when the Bloomington City Code does not allow minors on licensed tavern premises without a parent or guardian or employed by the establishment. He stated the parties agreed to a settlement where the licensee acknowledged five counts of violating the Bloomington Liquor Code on January 16<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup> and January 23<sup>rd</sup> and 24<sup>th</sup> of 2020. He informed the Commission that when preparing the settlement agreement, staff were cognizant of COVID-19's affect on taverns and their limits of income and the history of the licensee and similar situations. He informed the Commission the fine totaled \$1,250 for all violations with a payment agreement in place. He stated that Bob Lenz, Legal Representative of Europe, Inc., signed the agreement on behalf of the licensee.

#### **Old Business**

No old business was discussed.

#### **New Business**

No new business was discussed.

#### **Adjournment**

Commissioner Powell made a motion, seconded by Commissioner Renner, that the meeting be adjourned.

**Motion carried (viva voce).**

The meeting adjourned at 4:41 p.m.



Amanda Mohan, Deputy City Clerk