



MINUTES
PUBLISHED BY THE AUTHORITY OF
THE LIQUOR COMMISSION OF THE CITY OF BLOOMINGTON, ILLINOIS
TUESDAY, NOVEMBER 10, 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 virtually via Zoom conferencing with Commissioner Tari Renner 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, November 10, 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	Present	
George Boyle	Asst. Corporation Counsel	Remote	
Greg Scott	Interim Police Chief	Remote	

Public Comment

Commissioner Renner opened the meeting to receive public comment. Amanda Mohan, Deputy City Clerk, informed the Commission no one had registered for public comment nor submitted public comment via email.

Consent Agenda

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

Commissioner Powell made a motion, seconded by Commissioner Renner, that the Consent Agenda, including all items listed below, be approved as presented.

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

AYES: Powell, Renner

Motion carried.

Item 4.A. Consideration and action to approve Minutes from the October 13, 2020 Regular Liquor Commission Meeting, as requested by the City Clerk Department.

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. Public Hearing and action on the request from ARV Cuisine, LLC d/b/a Bloom Bawarchi V2.0, located at 503 N Prospect Rd, STE 103 & 104, for a Class RAPS (Restaurant, All Types of Alcohol, Package and Sunday Sales) liquor license, as requested by the City Clerk Department.

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

Mayor Renner opened the public hearing at 4:02 p.m.

Rakshith Venumuddala, Owner of Bloom Bawarchi, after being sworn, addressed the Commission. He explained that he acquired the restaurant four months ago. He stated he wanted to expand the business as Bloomington did not have an Indian restaurant with a bar.

Commissioner Renner confirmed with the applicant that by “expanding” he meant the addition of alcohol. Mr. Venumuddala responded affirmatively.

Commissioner Powell asked if the applicant was interested in continuing with the current hours of operation (1:00 a.m. during the week and 2:00 a.m. on weekends) or if they were flexible. Mr. Venumuddala responded affirmatively.

Commissioner Renner asked if the area was primarily business district. Mr. Venumuddala responded affirmatively.

Commissioner Renner asked if staff would be BASSET trained. Mr. Venumuddala stated he was in the process of obtaining his certification but, his wife, who would be the main bartender, was already certified.

George Boyle, Assistant Corporation Counsel, asked Mr. Venumuddala if he had experience in a restaurant that served alcohol. Mr. Venumuddala stated he did not.

Mr. Boyle then asked Mr. Venumuddala if he had restaurant experience. Mr. Venumuddala responded that he had not owned a restaurant before. He stated that he had worked in restaurants while attending college but, since he was underage at the time of employment, he did not serve alcohol.

Mr. Boyle asked what the capacity of the establishment was under normal, non-COVID-19, circumstances. Mr. Venumuddala responded the restaurant could seat 30 individuals not including the new proposed bar area.

Mr. Boyle asked how many staff members were anticipated to serve alcohol. Mr. Venumuddala responded that he planned to have one bartender and three servers BASSET trained.

Mr. Boyle asked if Mr. Venumuddala was also the operation manager. Mr. Venumuddala responded affirmatively.

Attorney Nathan Hinch, after being sworn, addressed the Commission on behalf of the applicant. He noted the hours of operations were similar to Ride the Nine, a nearby establishment.

Commissioner Renner asked if the area was primarily commercial and asked if the hours

of operation could remain open until 1:00 or 2:00 a.m., would it cause harm to neighbors. Mr. Hinch responded the area was primarily commercial and he did not believe the hours of operation would cause harm to neighbors. He also noted Eastland Suites was nearby and held a liquor license.

Commissioner Renner asked Greg Scott, Interim Chief of Police, if there were any incidents at the location. Chief Scott confirmed he was not aware of any issues.

Commissioner Renner asked if there was anyone preset to speak against the application. Ms. Mohan confirmed no one had registered to speak live and no emailed public comment was received.

Commissioner Renner summarized that there was no one to speak against the applicant business, that even with the proposed hours of operation, would not have any harmful affects for those who live in the immediate area, and that there were no complaints from the police department. Commissioner Renner asked Commissioner Powell if she had any concerns. Commissioner Powell stated she did not.

Commissioner Renner closed the public hearing at 4:11 p.m.

Commissioner Powell made a motion, seconded by Commissioner Renner, that the license be approved 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 5.B. Public Hearing and action on the request from Pueblo Grande Mexican Restaurant, Inc. d/b/a Pueblo Grande Mexican Restaurant, to be located at 2303 E. Washington St., Unit 3, for a Class RAS (Restaurant, All Types of Alcohol, 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 4:12 p.m.

Laura Rebello, Owner of Pueblo Grande Mexican Restaurant, after being sworn, addressed the Commission. She explained their interest in obtaining a liquor license to offer liquor at their restaurant.

Commissioner Renner asked how long the establishment had been in business. Ms. Rebello explained the restaurant was not open yet.

Commissioner Renner asked Ms. Rebello if she had experience owning a restaurant. Ms. Rebello responded affirmatively.

Commissioner Renner asked Ms. Rebello if that restaurant served alcohol. Ms. Rebello responded affirmatively.

Commissioner Renner asked Ms. Rebello to elaborate on her experience with that restaurant. Ms. Rebello responded that she owned Dos Fuentes in Fairbury for three years.

Commissioner Renner asked Ms. Rebello if she had any liquor violations at Dos Fuentes. Ms. Rebello stated she did not.

Commissioner Renner asked Ms. Rebello if she was BASSET trained. Ms. Rebello responded affirmatively.

Commissioner Renner asked Ms. Rebello how many employees would have BASSET certification. Ms. Rebello responded she expected to have four additional employees certified.

Commissioner Powell had no additional questions or comments.

Commissioner Renner asked Ms. Rebello to describe the immediate area. Ms. Robello responded that the area was predominantly commercial.

Commissioner Renner asked Ms. Rebello if there were residents in the immediate area. Ms. Robello stated that there was not.

Mr. Boyle had no additional questions of comments for the applicant.

Commissioner Renner asked if there was anyone present to speak against the application. Ms. Mohan confirmed no one had registered to speak li and no emailed public comment was received.

Commissioner Renner stated that since it was a new business, he would not ask Chief Scott for information on incidents. He summarized that the applicant business would be in a predominately commercial area, the owner had experience, and did not have any past liquor violations, and therefore, he did not foresee any issues with granting a liquor license. Commissioner Renner asked Commissioner Powell if she had any concerns. Commissioner Powell stated she did not.

Commissioner Renner closed the public hearing at 4:15 p.m.

Commissioner Powell made a motion, seconded by Commissioner Renner, that the license be approved 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 5.C. Public Hearing and action on the request from Hatoom, Inc. d/b/a Armanetti Express Wine and Spirits, to be located at 706 N Clinton Ave., for a Class PAS (Package, All Types of Alcohol, 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 4:16 p.m.

Attorney Richard Marvel addressed the Commission on behalf of the applicant. After being sworn, Mr. Marvel gave a slide show presentation which was labeled as Exhibit A.

Mr. Marvel described the location of the proposed establishment as being on the corner of Locust St. and Clinton Ave. He explained that the applicant would like to operate a premium liquor store at this location. He informed the Commission that the property had been in Mr. Awad Samhan's family for many years and that the applicant planned to relocate to the area if the application was approved. He explained that the applicant was a current owner of VIP Liquor in Chicago, IL and then listed the applicant's business and liquor licensing experiences. Mr. Marvel stated that in 2003, there was a liquor license violation for underage service of

alcohol while the business was under Mr. Samhan's management. Mr. Marvel testified that there had been no other violations since that time. He stated that Mr. Samhan was BASSET certified and that all employees would be BASSET certified as well.

Mr. Marvel went on to provide background on the current property, noting that the property, owned by Samhan's brother, was leased to a 3rd party, unrelated to the family, who currently occupied the building. Mr. Marvel stated that Mr. Samhan would take over the building and would refurbish, which was in desperate need of attention. He explained that the canopy was removed, and the parking lot was set to be resurfaced in the next four to six months. He believed that the location was being underutilized.

Mr. Marvel provided historical background on the property stating Mr. Saman's father purchased the property in 2000 and held a beer and wine liquor license there until 2012. He went on, noting a 2012 tax lien issued due to an accounting error by Mr. Samhan's father which resulted in the revocation of the liquor license. Mr. Marvel informed the Commission that the property was sold to Awad Samhan's brother, Ahmad Samhan, who applied for and was denied a liquor license in 2014 for that location. Mr. Marvel reported that all Illinois Department of Revenue tax liens had been resolved.

Commissioner Renner confirmed that the Liquor Commission had recommended approval, but that Council voted 5-0 to deny the application.

Mr. Marvel provided a detailed historical timeline from the application in 2014 including details on the February 11, March 11, and April 8, 2014 Liquor Commission meetings and the April 14, 2020 City Council Meeting. He noted the biggest reported concerns as single serve options, ample lighting, and security cameras. He stated that the application then appeared for a final time on the December 9, 2014 Liquor Commission where the Commission did not recommend approval of a license.

Mr. Marvel informed the Commission that underground storage tanks were removed from the property in 2018 and that the parking lot would be replaced in the Spring of 2021 with funds from the Illinois EPA LUST Fund financing. He stated that the Mr. Samhan intends to manage and operate the facility where it would offer high quality alcohol and foods that would be found in similar establishments. He explained that two additional staff members would be hired and BASSET certified. Mr. Marvel went on to discuss the target customer base would be residents and individuals who drive past the area on a regular basis. He reported that over 15,000 cars passed this corner daily according to IDOT traffic reports. He listed the proposed improvements including updated parking lot, additional lighting, a new roof, paint, and façade enhancement which would cost a minimum of \$100,000. They anticipated that over 50% of revenue will be from alcohol and would be comparable to Binny's and Friar Tuck.

Mr. Marvel discussed the surrounding properties and their zoning classifications, stating that the property was located on B-1 Business District but recognized that it was in the middle of town. The applicant proposed hours of operation to be from 10:00 a.m. to 10:00 p.m. and confirmed that there would not be single serve alcohol available. He noted the four nearest liquor license establishments as Green Top Grocery, Kroger, University Liquors, and Thornton's Gas Station. Mr. Marvel reiterated that the applicant sought to redevelop an under-utilized property.

Commissioner Renner stated the presentation preemptively answered many of his initial questions including BASSET training, parking, zoning, lighting, and cameras. He noted that while the property was zoned for business, it was near residential neighborhood.

Commissioner Powell believed Mr. Marvel covered the application well. She noted that BASSET training was a must and believed that the hours of operation were reasonable. She said that she drives by that area often and agreed redevelopment would benefit the property. Commissioner Powell stated that she supported redevelopment as opposed to building new.

Commissioner Renner agreed with Commissioner Powell and believed the property was in desperate need of an upgrade and encouraged redevelopment. He noted that the proposed business model was different than previous applications.

Mr. Boyle asked about interest in offering single serve. Commissioner Renner responded that the applicant did not intend to offer single serve.

Mr. Boyle noted that the City's definition of single serve is 40 oz. or less and asked Mr. Marvel for additional details on the business model.

Mr. Marvel reiterated that the applicant did not wish to offer single serve cans of beer or wine, 40 oz. bottles of beer, mini hard liquor bottles, to-go shots, or quarter pints.

Mr. Boyle asked for additional details about food. Mr. Marvel responded that the food offerings would be similar to that of Friar Tuck's offerings such as cheese and crackers.

Mr. Boyle asked about the State's tax lien status as it related to the ownership. Mr. Marvel reiterated that the current property owner was applicant's brother, Ahmad Samhan and stated that he was unable to locate information on a current tax lien.

Commissioner Renner asked if anyone else had registered to speak in favor of the application. Ms. Mohan responded that there were none.

Commissioner Renner then opened the floor and asked if anyone had registered to speak against the application.

Marty Seigel, a long-time local resident, after being sworn, addressed the Commission. She asked about Price Rite. Commissioner Renner responded that Price Rite's liquor license was revoked, and an application was denied 5-0 in December 2014.

Ms. Seigel then asked details about Franzetti's, including how far it was from the applicant property and if it sold alcohol. Commissioner Renner responded, confirming Franzetti's Pantry Plus held a liquor license but that it was a different business model.

Ms. Seigel believed that the proposed \$100,000 was not enough to redevelop the property and did not believe there was not good reason to approve a liquor license for the applicant property. She said the previous owners undermined the neighborhood safety and discussed the previous issues. She stated that an all types of alcohol liquor license had not been in the area since S & S Liquors in the 80's which closed after there were murders on the property. She stated that beer and wine had not been sold since 2012 when Price Rite lost their liquor license for tax reasons. She stated that the owners were in the same family and believed that the family did not earn the right to get a liquor license. She discussed the number of calls for service in 2011 and 2012. She believed the property had reduced the quality of life and frequently witnessed individuals with empty bottles of beer and witnessed multiple instances of trespassing on neighborhood property. She stated that since Price Rite had lost their license, the neighborhood had been peaceful, and the business continued to be uninviting. Ms. Seigel stated that the owners have not built trust with the neighborhood and mentioned a previous discussion with owners from 2014 about Bloomington residency.

Commissioner Renner stated that a license condition could be implemented that did not allow single serves. He asked Ms. Seigel if she believed the proposed hours of operation, the implementation of security cameras and additional lighting were helpful.

Ms. Seigel responded that it was a terrible location for a liquor license. She believed the owners did not demonstrate that they respect the neighborhood. She explained the neighborhood residents worked hard to maintain a sense of community in neighborhood. She reiterated her position on why the applicant should not receive a liquor license.

Commissioner Powell noted Ms. Siegel's statements focused on the history of the property and did not consider the future opportunity.

Mr. Boyle reminded the Commission that Mr. Marvel had the right and opportunity to cross examine. Mr. Marvel stated he did not have any questions or comments.

Ms. Seigel stated that the history goes hand in hand with the future.

Gladys Cabezas, local resident, after being sworn, addressed the Commission. She stated that she lived in a nice neighborhood and opposed a liquor license. She believed that 10:00 a.m. was too early to open and was concerned for the children in the area as the establishment could attract traffic from the nearby Illinois Wesleyan University. She agreed with Ms. Siegel's comments.

Commissioner Renner asked Ms. Cabezas if the property upgrades, improved lighting, security cameras, prohibition on single serve alcohol and the potential to restrict the hours of operation from 11:00 a.m. to 10:00 p.m. would it change her mind. Ms. Cabezas responded that no matter the upgrades, she did not support a liquor license at that property.

Commissioner Powell had no questions for Ms. Cabezas.

Mr. Marvel did not wish to cross examine Ms. Cabezas.

Ms. Mohan read the names the following individuals who emailed public comment which was provided to the Commission Members and the applicant: (1) Marty Seigel; (2) Julie Prandi; (3) Jan Holder; (4) Patricia Morin; and (5) Dorothy Deany. (Exhibit B)

Mr. Boyle asked Ms. Mohan if copies of all emailed public comments were forwarded to Mr. Marvel as well. Ms. Mohan confirmed all were sent, with the exception of one she was unable to send due to technical difficulties.

Commissioner Renner asked the name of the individual for the record. Ms. Mohan responded J. Greb's comments were unable to be forwarded.

Mr. Boyle reminded the Commission of procedures related to emailed public comments and in-person testimony. He then reiterated the definition of single serving size, acknowledging it could be too broad and suggested the license conditions be more specific.

A discussion ensued as to the proper limits of single serving sizes to be sold by the applicant. Commissioner Renner suggested that conditions be placed on the license to prohibit the sale of hard liquor in quantities less than a half-pint (6.8 oz.) and the sale of beer and wine in quantities less than 24 oz. Commissioner Powell agreed with the single serve conditions on liquor, beer, and wine.

Commissioner Powell understood the comments and concerns about previous businesses at that location, but the community needed to move forward. She stated that it was hard to turn down an applicant who wants to upgrade the area and provide a different business model.

Mr. Marvel reiterated that the current occupant was not related to the applicant business and that the applicant's brother rented the building to the current occupant. He noted that Marco's Pizza announced the closure of hundreds of stores and that the opposite corner's future was uncertain.

Commissioner Renner stated he was inclined to support an applicant who wanted to invest in an economic development opportunity that may attract additional investors which would positively benefit the area.

Commissioner Powell motioned, seconded by Commissioner Renner, to positively recommend the application to the City Council with the following license conditions: (1) No sale of hard liquor in quantities less than a half-pint (6.8 oz); (2) No sale of beer or wine in quantities less than 24 oz.; (3) the implementation of cameras; (4) improvements in proper lighting; and (5) hours of operation from 11:00 a.m. to 10:00 p.m.

Mr. Boyle confirmed the amount of alcohol in the conditions with Commissioner Renner.

Mr. Marvel confirmed that the implementation of cameras, lighting and parking were conditions on the license.

Commissioner Renner asked if cameras were currently in place. Mr. Marvel responded cameras would be implemented as part of redevelopment.

Mr. Boyle asked if the cameras would be internal or external. Mr. Marvel responded they would have both internal and external cameras.

Commissioner Renner responded the implementation of indoor and outdoor cameras as well as proper lighting were conditions on the license.

Mr. Boyle asked Mr. Marvel if the applicant accepted the terms and conditions. Mr. Marvel confirmed.

Commissioner Renner recommended the owner participate in neighborhood outreach.

Mr. Marvel suggested that a condition on the license be that the owner or local manager be local. Commissioner Renner agreed that before the application to be approved, there must be a local manager, which could be Mr. Samhan. Mr. Marvel agreed to the additional term.

Commissioner Powell restated her motion to positively recommend the application to the City Council with the following license conditions: (1) No sale of hard liquor in quantities less than a half-pint (6.8 oz); (2) No sale of beer or wine in quantities less than 24 oz.; (3) the implementation of internal/external cameras; (4) improvements in proper lighting and parking; and (5) hours of operation from 11:00 a.m. to 10:00 p.m.

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

AYES: Powell, Renner

Motion carried.

Item 5.D. Continued Public 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 for update on item. Mr. Boyle responded providing a brief history of the item, noting that the establishment was currently closed, and the owner had relinquished both the liquor and video gaming licenses. He said that staff continued to

investigate and there were ongoing discussions with the owner and former general manager. He suggested the item be continued to the Liquor Commission meeting on December 8, 2020.

Commissioner Powell motioned, seconded by Commissioner Renner, to table the item until the December 8, 2020 Liquor Commission meeting.

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

AYES: Powell, Renner

Motion carried.

Old Business

No old business was discussed.

New Business

No new business was discussed.

Adjournment

Commissioner Renner motioned to adjourn the meeting.

Motion carried (viva voce).

The meeting adjourned at 5:20 p.m.



Amanda Mohan, Deputy City Clerk