Alderperson: Judy Stearns

Item: 6E- "Purchase of New and Replacement Networking Equipment"-Consent Agenda

Question/Comment: Please give me some detail on what a network switch does? Is there any relationship between these network switches and the new ERP system coming for IT? Will the same switches be in place for the long term?

Staff Response: A network switch is an integral part of all data networks. Its most essential function is to process and route data packets across the network. A network switch is typically located in a central data closet within a particular building. Cabling is then run from this central data closet to a network device (computers, printers, and other network connected devices) locations, facilitating their connection to the network. Cabling or other network connection types is then run between these building switches to connect them all together (referred to as the network "backbone"), creating the enterprise-wide network topology.

The switches being replaced are some of the oldest on the City's network, being between 7 and 8 years old. They support data network and telephone service for Lake Bloomington's Water Processing Plant. This includes critical applications such as the SCADA (Supervisory Control and Data Acquisition) system that monitors and manages water distribution throughout our water service area. Five years is a typical target life span for this type of equipment, although there are many situations where a switch might be viable years longer.

There is one new (not replacing an old switch) switch request included. This switch will add switch port capacity in the City's Service Room, which is located in the Government Center. These extra ports will aid Staff in ongoing efforts to increase high availability and disaster recovery of the City's data through virtualization of the City's server environment. The extra ports will allow Staff to replicate more data between City Hall and the Government Center Data Centers.

Staff's request to purchase these network switches is not based on the implementation of the new ERP System. Although the new ERP System will be using the new switches, the need would exist with or without the ERP implementation.

Alderperson: Jim Fruin

Item: 6G- "Request for Funding for Youth Impact for Summer Jobs Program"-Consent Agenda

Question/Comment: More curiosity than anything, but if readily available, it would be nice to know the employers who participated last year. If not easy to access, than no need to answer. It's always nice to thank employers for making a difference.

Staff Response: 2010 list of Employers: Town of Normal; Unit 5; District 87; State Farm Grounds; State Farm Food Court; State Farm Cleaning; State Farm Parks, Country Financial; and McDonald's. See Project Oz 2010 Summer Jobs Summary at the end of this report.

Alderperson: Judy Stearns

Item: 6G-"Request for Funding for Youth Impact for Summer Jobs Program"- Consent Agenda

Question/Comment: This program would seem to provide a valuable service and save taxpayer dollars for the future and present. What is the success rate—not re-entering the court system—(percentage) for the youth who enter this program? Other than work, what other services are in place to prevent their continuation in the Justice System? What are they paid and how many hours do they typically work?

Staff Response: See Project Oz 2010 Summer Jobs Summary at the end of this report.

Alderperson: Bernie Anderson

Item: 6H- "Federal Aviation Administration Required Fire Aircraft Training"-Consent Agenda

Question/Comment: Great job in reducing cost even when it's reimbursed by the FAA. At the end of the day taxpayers pay for this and the savings is appreciated by all.

Staff Response: Thank you for the compliment. The City typically spends more than the $30,000 reimbursed by CIRA (Central Illinois Regional Airport) each year to provide adequate and relevant training for our Airport Response Personnel. The amount is part of the 1995 agreement between the City and CIRA. Each year Staff is challenged to use these funds responsibly, while maintaining a high level of skill for our Staff.

Alderperson: Judy Stearns

Item: 6I- "Request to purchase Outdoor Sirens" –Consent Agenda

Question/Comment: Are there standards set by some agency to determine how many sirens are needed per square mile? In paragraph one we are told that it is not designed to alert people indoors, and then we read that the ability to hear indoors will vary. Is it supposed to be heard indoors? What is the condition of the siren atop the school? Finally, how many sirens are there in Normal or any other cities similar in geographical area?

Staff Response: Sirens are placed based on coverage by sound levels. The sirens that the City has in place average 125 decibels output (121 to 128 decibels). This siren is rated for a 4.6 mile coverage area based on the decibel output. Sirens are still the most effective method to warn the population at large in the shortest amount of time. People who may be outdoors at ball games, in their yard, or anywhere else where they are not in contact with the normal news media channels such as radio, TV or local public address systems depend on this system. Although the system is designed for use to warn persons outside of the need to find shelter, depending on the location, these sirens may be heard inside of structures. The ability to hear these warnings inside is a function of distance from the siren, materials used in the construction of the structure and noise levels present inside. The City's sirens range in age and condition, and the Engineering Division of Public works are responsible for the repair and maintenance of the sirens. Engineering identified this siren as the one in the most need of replacement at the present time. Staff anticipates replacement of 1-2 units per year to keep the system operational. The Town of Normal has 12 sirens at present.

Alderperson: Karen Schmidt

Item: 6J- "Change Order #2 for Professional Services Agreement with Clark Dietz, for the Locust-Colton Phases 1, 2, and 3 Sewer Separation and Water Main Replacement Project Design"-Consent Agenda

Question/Comment: I thought that one4 of the main reasons we included Phases 2 and 3 is because we have a scope of work already defined. What additional is needed and will be provided by this Clark Dietz work?

Staff Response: The existing Engineering contract covers Phase 1 construction work for the Locust-Colton project. On February 14, 2011, the Council approved additional phases to be completed since the City is able to secure a low interest IEPA (Illinois Environmental Protection Agency) loan with principal forgiveness. While an estimate exists for Phases 2 and 3 of this project, the construction plans need to be completed. Additional engineering work needs to be completed to get these construction plans to the IEPA. There is a short time and not enough time to go through an additional RFQ (Request for Qualifications) process for selection of a separate Engineering firm for this work. CDI (Clark Dietz, Inc.) has met Public Works expectations, so Staff believes they can complete the additional work to the City's satisfaction. The additional engineering work to complete the construction plans for Phases 2 and 3 is billed on an hourly basis that was agreed upon in the previous contact.

Alderperson: Bernie Anderson

Item: 6J- "Change order # 2 for Professional Services Agreement with Clark Dietz, for the Locust-Colton Phases 1, 2, and 3 Sewer Separation and Water Main Replacement Project Design" –Consent Agenda

Question/Comment: It is my understanding that the current plans did not include the additional work! Help me out here?

Staff Response: Correct, Staff has an estimate for Phases 2 and 3 for this project, the construction plans need to be completed. See additional information under Alderperson Schmidt's Item 6J above.

Alderperson: Judy Stearns

Item: 6J-"Change Order for #2 for Professional Services Agreement with Clark Dietz, for the Locust-Colton Phases 1, 2, and 3 Sewer Separation and Water Main Replacement Project Design" –Consent Agenda

Question/Comment: Please explain why this cannot be placed for bid—I assume we cannot use two different companies, but this does need to be clarified. Is the design charged on some kind of unit price (hours for instance)?

Staff Response: See response information under alderperson Schmidt's Item 6J above.

Alderperson: Jim Fruin

Item: 6L- "Text Amendment to Chapter 44"-Consent Agenda

Question/Comment: Does this Text Amendment have any present or future impact within our Downtown Business District, which already has very limited parking?

Staff Response: The proposed parking changes have no impact on Downtown. Downtown parking is handled separately from the general parking requirements of the Zoning Ordinance.

Alderperson: Karen Schmidt

Item: 6L-"Text Amendment to Chapter 44"- Consent Agenda

Question/Comment: Same question as Alderperson Fruin regarding impact on downtown, and can you provide an example of an existing mixed-use building, to get a better idea of what kinds of situations this addresses?

Staff Response: The proposed parking changes have no impact on Downtown. Downtown parking is handled separately from the general parking requirements in the Zoning Ordinance. A shopping center that would specifically benefit from this would be Corporate Commons, which is located at Washington at Veterans Parkway.

Alderperson: Bernie Anderson

Item: 6L "Text Amendment to Chapter 44-Zoning Ordinance" –Consent Agenda

Question/Comment: I am looking at this as an effort of consistent managing and uniformity practice. With other Council comments, please provide examples for the downtown area and that outside of this area.

Staff Response: Downtown parking is considered to be on-street or as part of the City's parking garages and surface parking lots. Therefore, these changes will have no effect on Downtown. Where this will help will be shopping centers such as Corporate Commons at Washington and Veterans Parkway, where several viable tenants have been denied occupancy or where space would have been left vacant due to over restrictive parking count requirements.

Alderperson: Jim Fruin

Item: 6M- "Text Amendment to Chapter 29-Parking Ordinance" –Consent Agenda

Question/Comment: I would like to know the money amount of existing fines, penalties, etc. Or, please direct me to the City Code where I can review. Does each individual fine, offset the administrative cost of writing/collecting etc.? Do we have any fines <$25?

Staff Response: Staff has deleted all of the ancient ordinances which impose fines of less than $25.00 (except for parking tickets which are paid in a timely manner). As a practical matter, except for parking tickets, the minimum fine for any ticket paid at City Hall is $50.00. At this time, Staff does not know whether the fines offset the administrative costs of issuing the ticket. Staff is hopeful that when the ERP system is implemented, better information can be gathered.

Alderperson: Karen Schmidt

Item: 6M- "Text Amendment to Chapter 29-Parking Ordinance" –Consent Agenda

Question/Comment: There is a lot in this agenda item. Regarding the administrative move from Finance to PACE, are there staff moving as well? Regarding the details of the costs associated with the parking garages and parking lots are these different from existing fees (I was not able to find this information on our web site)?

Staff Response: No Staff will be moving. This Ordinance change reflects administrative changes made a couple of years ago. Staff is not proposing increasing fees until a discussion has been had with McLean County Government and the Public Building Commission.

Alderperson: Bernie Anderson

Item: 6M- "Text Amendment to Chapter 29-Parking Ordinance" –Consent Agenda

Question/Comment: When there are additional efforts to keep out city more efficient; I applaud this. My concern on this change from 10 to five tickets is man power. We hear how there is limited man-hours and more staff could be used. I am opposed to this increase if we are not in a position to enforce.

Staff Response: The reason Staff are proposing lowering the number of tickets from 10 to 5 is because Staff have largely eliminated the number of persons with 10 outstanding tickets.

Alderperson: Judy Stearns

Item: 6M- "Text Amendment to Chapter 29-parking Ordinance" –Consent Agenda

Question/Comment: Please explain why the Division of the Parking System is now established under PACE? I do not understand the change?

Staff Response: The Parking System has been a division of PACE for about two years. The Ordinance Change reflects administrative changes that have been made.

Alderperson: Karen Schmidt

Item: 8A-"Intergovernmental Agreement and Agreement for Ordinance Violation Fine Collection"-Regular Agenda

Question/Comment: Bravo! Great partnership opportunity for a good cause

Staff Response: Thank you for the compliment. Currently the Fire Department uses a Collection Agency for uncollected payments from Rescue assistance.

Alderperson: Bernie Anderson

Item: 8A- "Intergovernmental Agreement and Agreement for Ordinance Violation Fine Collection" – Regular Agenda

Question/Comment: Is this the impacted funding stream by the resent action of the Federal Government?

Staff Response: The action is not caused by the changes at the federal level.

Alderperson: Judy Stearns

Item: 8A- "Intergovernmental Agreement and Agreement for Ordinance Violation Fine collection" - Regular Agenda

Question/Comment: Are there any charges or cost to Harris other than the 30% collection fees? What is their success rate in collecting fines? What—if any—recourse will the citizen who believes there is some inequity or mistake in the fee being charged? Finally, if the City has an estimated $500,000.00 out in uncollected fines, what is the principle reason?

Staff Response: Other than the 30% collection fees, there are no other charges. A citizen has already had the recourse of a Bench Trial, a Jury Trial or an Administrative Hearing, so they have already had their day in court. The reason for the $500,000.00 backlog is largely due to fines charged to three property owners; the remainder is mainly due to the difficulty of pursuing indigent persons with available Staff.

Alderperson: Judy Stearns

Item: 8b- "Liquor License Application for Tailwinds"-Regular Agenda

Question/Comment: In reading the background information, on the 3rd page, the 5tth and 6th paragraphs, we note that two of the questions on the application were apparently answered affirmatively and then were to be amended by the statement, "Commissioner Stockton stated that the application would be amended." Is it proper procedure to change an answer already given during a license application at the Liquor Commission? Is this setting precedence? I believe that an LLC is a limited liability company, and I wonder would accept the liability in the event of a lawsuit? Does the City Code provide for an LLC to hold a license? Are there other LLC's holding a license in Bloomington? If so, is there local ownership of that LLC? Can ownership information of an LLC be legally determined by any member of the public? Did our City Attorney review the application before it was submitted to the Liquor Commission? Background information in our packet tells us that "other Concessionaires had gone out of business," which I believe we have seen as members of the public as well. If businesses are leaving, does the public have a right to know what the financial cost to the airport—and—the taxpayer—might be? Is this covered under OMA (Open Meetings Act)? I had specifically asked the representatives from Tailwind at the previous City Council Meeting whether the business would remain without the license and received an affirmative without qualification. On page 3, Mr. Backhaus statement includes this: "Operating Tailwind without a liquor license would be difficult." Why was this not stated at the previous meeting? Why are we immediately reconsidering a Council Agenda Item vote on just four weeks ago without following Robert Rules of Order? Please cite previous cases where this has happened if possible?

Staff Response: There is no prohibition in amending an inaccurate answer in an application. An LLC is a Limited Liability Company; so, for that matter, are Corporations in the sense that the shareholders/owners are not personally liable for the actions of the Corporation. The City Code permits Corporations to hold licenses, and LLC's are a type of Corporation. This is also the position of the State Liquor Control Commission. Other LLC's have City Liquor Licenses (See memorandum from Assistant Corporation Counsel George Boyle at the end of this report) on additional Limited Liability Corporation. Staff at this time, does not know whether ownership of LLC's or Corporations is publicly available information. The City Attorney reviewed the application. Regarding costs to the Airport, the information may possibly be available under FOIA (Freedom of Information Act) (not the Open Meeting Act), but the Airport is not required to create a document with that information, if it has not already done so. Regarding whether representatives of the applicant have given inconsistent answers, that is a matter for the Liquor Commission and City Council to take into account when recommending a license or voting on the creation of a new license. The City is following Robert's Rules of Order. This is not reconsideration; it is consideration of a new license application.

Prepared By:
Barbara J. Adkins
Deputy City Manager

Project Oz 2010 Summer Jobs Summary

Narrative:

In year three of the Summer Jobs Program, Project Oz is proud to report the collaboration with Youth Impact has again been a success, starting this year's program with 54 students and completing the program with 50 students. Of the 50 students who completed the program, 83.3% showed improved in the two areas that were the focus points of the program (career planning & work life). Below you will see a few points of interest of the Project Oz Summer Jobs Program.

Jan - Feb referrals due to OZ

- April 2010 students at all 3 public high schools began after-school classes on job interview techniques
- April 2010 students took Pre-Assessment Test (State Farm Employees don't take job assessment)
- May 2010 students began the interview process
- June 1st students began employment *(not all students have the same start date)*
- August 2010 summer employment completed
- August/September 2010 Post-Assessment Test

Out of the 50 completed students, 14 were employed by State Farm as a part of their "Learning and Leading" program. The "Learning and Leading" program was designed specifically to work with the Project Oz Summer Jobs Program.

Probation Referrals. As we do each year of the program, we again solicited referrals from McLean County Probation. Below is a quick overview of the youth and their situations who were submitted to Project Oz. We included names because they are Youth Impact (Probation) referrals.

Probation made 5 referrals to summer jobs

1) **RT** – RT was in 8th grade and could not get a work permit.

2) **JG** – Never would fill out the application for the job. Missed multiple appointments to help him with it. We spoke to Mom multiple times and received no support.

3) **JD** – JD attend the first meeting & orientation at Project Oz. JD was soon arrested on another offense after the orientation and was sent to DOC.

4) **MW** – Filled out the application and interviewed. MW was not allowed to work at the store he interviewed at because of a restraining order against a current employee (reported to us by McDonald's). McDonald's decided not to send to another store. MW is currently in DOC.

5) **DS** – Lived in County. Spoke to family and they said they had no way to get him to town to work.

These are the referrals Probation made. **None of the youth actually worked or completed the program.**

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Job Summaries

State Farm

14 students from Normal Community West High School and Bloomington High School participated in the State Farm program. These students worked in various areas of production at State Farm. Students were trained and assigned work assignments in the designated areas of employment.

Job Descriptions:

- Technical Support: Assembled and prepared rooms for conferences and meetings. Worked along with staff to fulfill and answer employee questions using job orders.
- Mailroom Clerk: Involved in all mailroom processes including delivering mail, shipping, tracking, and labeling.
- Purchasing/Distribution Clerk: Provided support to the Purchasing and Distribution Center through data-entry, coping forms, and phone call customer service.

In addition to the actual hands-on work assignments, the students were trained in the following areas:

Leadership: Every week the students met with VP Mike Jones to discuss current events. This opportunity gave them the chance to verbalize their opinions and ideas in a constructive environment.

Community Service: Once a week the students were taught finances with an emphasis on balancing a checking account. The students also volunteered at the Bloomington Community Garden.

Relationship Building: Each student was assigned a State Farm mentor.

By the end of the program, each student had a new-found sense of pride. This pride was cultivated through leadership skills gained from being in a professional work environment, exposure to and relationships built with State Farm executives, and the pride of giving back to the community. These leadership skills are being applied to the school environment. The students have stepped up benefiting the school to create a positive school climate.

Town of Normal (Fairview Pool)

This position was working at the concessions stand at the water park.

Unit 5 & District 87 Custodial

Students assisted full-time maintenance staff in prepping all Unit 5/ District 87 schools for the 2010 – 2011 school year. Duties included all cleaning details related to both internal and external facilities maintenance, such as re-organizing classrooms, stripping and waxing floors, light repair of chairs, desks, etc. Students reported directly to, and received instructions from, the on-shift maintenance supervisor.

State Farm Grounds

These were the subcontracted positions working with State Farm grounds crew. The students assisted with cutting the grass, and trimming and moving hedges.

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State Farm Food Court

These students worked in the State Farm food court serving and preparing food. They also worked as cashiers.

State Farm Cleaning

These students worked at State Farm (Corporate) to clean offices, move furniture, and minor equipment setup.

State Farm Parks

These students worked at the State Farm Park. The major job responsibilities were customer service and working the concessions stand at the park.

Country Financial

We are proud to announce that Country Financial has decided to join the team. For the summer of 2010, Country Financial provided eight positions. All eight were offered full-time positions for the summer (30 or more hours). Positions were in the mailroom, switchboard, and maintenance. All of the Country Financial students successful completed the program.

Mc Donald's

Crew Member – cleaning, cashier, making sandwiches, customer service

Student Testimonial

BHS-age 16

When you first hear of State Farm what is the first thing that comes to your mind? Perhaps that is a large auto insurance company. Working at State Farm was the best experience that anyone could ask for, especially for someone of my age. State Farm was the first job that I had. When you work for a corporation like State Farm you have the opportunity to see many of the different types of jobs, as well as meeting all kinds of nice people, from regular workers to vice presidents and agents. The jobs that people do at State Farm could be from maintenance of the building, to how TV commercials are made, or the law department which protects the insurance company from lawsuits, as well as handling claims. While working there, I visited many of its departments and learned the many things they do at each unit, I also learned that State Farm has other lines of services, they also sell financial services, such as bank accounts as well as life and health insurance, not just auto insurance.

I loved so many things about the program, especially having the mentoring sessions every Monday. The mentoring sessions were about preparing you for "real life" like helping you choose what college or university you want to go to, my mentor helped me understand that going to college was going to be one of the biggest choices that I will be making in life. Second, I like how every Wednesday we went to different non-profitable agencies to learn about what they do and how people can come in and volunteer. After visiting the agencies we would go to the garden and plant vegetables something that I've never done before and really enjoyed because I knew at the end it would go to people that would really appreciate what we were doing. Finally, I loved everyone in the program they were extremely nice and would always be there to help with anything. The people in the department that I worked with were really nice people who helped you with anything and showed me a lot of things that I wouldn't expect to see like having a very large room filled with files of the employee's and agents of State Farm

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from all over the country. I don't think I've ever seen a large room full of files before. Being in this program has taught me a lot more than what I expected to get and hopefully I will have the opportunity in the near future to go back and work for State Farm.

Summer Jobs Statistics-Project Oz

Name	Career planning (pre/post assm't)		Work Planning (pre/post assm't)		Comments
BHS10-04	79%career	85%career	92%work	92%work	Completed Program
BHS10-06	56%career	87%career	88%work	100%work	Completed Program
NCHS10-11	62%career	62%career	79%work	83%work	Completed Program
NCHS10-09	79%career	85%career	92%work	88%work	Completed Program
BHS10-20	72%career	No Post	100%work	No Post	Moved to Peoria
BHS10-21	77%career	No Post	88%work	No Post	Moved to Peoria
BHS10-01	87%career	92%career	100%work	100%work	Completed Program
BHS10-02	79%career	95%career	100%work	100%work	Completed Program
BHS10-05	67%career	87%career	96%work	100%work	Completed Program
NCHS10-02	69%career	69%career	100%work	75%work	Completed Program
NCHS10-07	82%career		100%work		Completed Program
NCHS10-12	82%career	87%career	100%work	100%work	Completed Program
NCWHS-10	74%career	79%career	100%work	100%work	Completed Program
NCWHS-12	82%career	95%career	100%work	100%work	Completed Program
NCHS10-03	92%career		92%work		Completed Program
NCHS10-06	79%career		67%work		Completed Program
NCHS10-13		90%career		92%work	Completed Program
NCWHS-01	74%career	No Post	100%work	NO Post	Did not complete, Background Check
NCWHS-02	79%career	74%career	100%work	96%work	Completed Program

NCHS10-08	74%*career* **86%career**	**100%**work **100%work**	Completed Program
NCWHS-07	77%*career*	**88%**work	Terminated-No Show
BHS10-10	87%career 92%*career*	**100%**work **100%work**	Completed Program
NCHS10-01	62%*career*	**96%**work	Completed Program
NCWHS-04	77%*career* 74%*career*	**88%**work **100%work**	Completed Program
BHS10-03	79%*career* **87%career**	**100%**work **92%work**	Completed Program
BHS10-11	64%*career* 59%*career*	**96%**work **92%work**	Completed Program
MISC10-01	92%*career*	**100%**work	Completed Program
MISC10-03	67%*career* 77%*career*	**96%**work **96%work**	Completed Program
MISC10-02	59%*career*	**100%**work	Completed Program
NCWHS-06	87%*career* **85%career**	**96%**work **96%work**	Completed Program
NCWHS-09	97%*career*	**100%**work	Completed Program
BHS10-07	67%*career* 97%*career*	**92%**work **100%work**	Completed Program
NCWHS-08	64%*career* **87%career**	**75%**work **100%work**	Completed Program
NCWHS-05	82%*career* **86%career**	**100%**work **100%work**	Completed Program
NCHS10-10	74%*career* **86%career**	**100%**work **100%work**	Completed Program
NCHS10-04	74%*career* **88%career**	**100%**work **100%work**	Completed Program

We are still trying to collect some post assessment data. Some youth are no longer students in the district. We will continue to try to collect the data. All summer jobs data has been forwarded to Dr. Sesha (ISU-Evaluator).

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Memorandum

To: Mayor and City Council

From: George D. Boyle, Assistant Corporation Counsel

Date: February 28, 2011

Re: Application of Tailwind BMI, LLC

Issue: Whether a limited liability company can be a qualified liquor license holder in the City of Bloomington?

Recommendation: A limited liability company may qualify as a liquor license holder in the City of Bloomington. As detailed below, this is based on two primary considerations:

(1) the broad definition of who may be a license holder in the Bloomington City Code; and

(2) the practice of both the City of Bloomington and the State of Illinois of treating the liquor license applications of limited liability companies virtually identical to those of corporate applicants. There are already several liquor licenses in the City of Bloomington held by limited liability companies.

Chapter 6, Section 1 of the Bloomington City Code defines license holder as, "the individual or organized licensee or license holder and any officer, associate, member, representative, agent or employee of a licensee or license holder." Section 4B(b)(8) of Chapter 6 further provides that, as a factor to be considered in the creation of a new license, the City Council shall consider, "whether the applicant, or (if the applicant is a partnership or corporation) whether any partner, officer or director of the applicant has ever held a liquor license and his or her performance as a licensee."

Although the Bloomington Liquor Code does not specifically state that limited liability companies can be license holders, it does state that corporations can be. In many respects, limited liability companies are similar to corporations. Both types of organizations limit the personal liability of owners, both must register with the Secretary of State, both must disclose on their license applications to the State and to the City of Bloomington their principal officers and managers. The State of Illinois Liquor Control Commission recognizes no difference between corporations and limited liability companies insofar as the ability to hold a valid liquor license. For purposes of liquor licensure, the touchstone for both the award of the license and for its enforcement has been the local presence of a responsible party, i.e., an officer, manager, member or employee. If this is provided, no distinction has been made between the liquor license applications of corporations and limited liability companies.

GDB:js