

MINUTES OF THE BLOOMINGTON
LIQUOR COMMISSION

June 14, 2011

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of R.I.P. Oil, Inc., d/b/a Six Points Fast Stop, located at 1001 Six Points Rd., currently holding a GPBS liquor license which allows the sale of packaged beer and wine for consumption off the premises seven (7) days a week for a change of classification to a PAS liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Steve Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk, and Karen Anderson, Vice President Operations, and Stephanie Hatten, Store Manager, and License holder representatives.

Commissioner Stockton opened the liquor hearing and requested that the License holder explain this request. He noted that this request for a change of classification had been laid over by the Commission at their April 12, 2011 meeting. Stephanie Hatten, Store Manager, addressed the Commission. She noted that the store no longer sold gasoline. The state had taken land for the Veterans Pkwy. road project. This request would allow the store to offer all types of alcohol for sale. Items offered for sale would be limited. Top brands would be offered and sales would be secure. Fast Stop had a petition in support of the change of classification to present to the Commission. Store staff had also spoken with the Goose Creek Apartment management. There were no issues.

Commissioner Stockton noted that the Commission had encouraged Ms. Anderson to work with the neighbors. He added that the Commission had not received the Downtown Entertainment Task Force's (DETF) report. Karen Anderson, Vice President Operations and License holder representative, addressed the Commission. Petitions had been prepared to present to the Commission. The financial reports for May 2011 had been completed. Sales from packaged beer and wine equaled \$13,800 or twenty-six percent (26%) of total sales. Fast Stop had paid \$553.05 in packaged liquor tax to the City. She anticipated an increase in alcohol sales from ten to twenty percent (10 - 20%). Alcohol sales could total forty percent (40%).

Commissioner Tompkins noted that the state had caused the removal of the gasoline pumps. The request for a change in classification was to offset the loss of gasoline sales. It was hoped that this change would assist the business to survive.

Commissioner Buchanan noted that Fast Stop hoped to offer spirits. He questioned if other products would be offered for sale. Ms. Anderson responded affirmatively. Commissioner Buchanan noted that sales of spirits would be secure. Hard liquor would be stocked behind the counter. Ms. Anderson noted the size of the counter area. No refrigeration was needed. 375 ml

and smaller bottles would be stocked behind the counter. Larger sizes would be open shelved. Additional security would be required, such as bottle tags and video cameras. Commissioner Buchanan requested that Ms. Anderson inform the City of any change in liquor stock and/or stocking location.

Commissioner Stockton questioned the petition. It was noted that there were 134 signatures on the customer listing and fourteen (14) signatures on the resident listing. It was noted that the majority of those who signed the resident listing were apartment dwellers. Commissioner Buchanan read the text contained on the petitions.

Commissioner Petersen questioned the DETF's report and its impact on the Commission's decision regarding this request. He believed that the focus of this report would be on the Downtown. Commissioner Stockton believed the report would be available within the week.

Commissioner Stockton opened the hearing to public comment. Amy Calhoun, 2 Goose Creek, #3322, addressed the Commission. She spoke in favor of this request. She added that her signature was not contained on either petition.

Commissioner Stockton restated that the Commission had not received the DETF's report as of this date. He added that the sale of spirits near residential areas had become more controversial. He noted that City had eliminated the GPA, (Gasoline, Packaged, All types of alcohol), license classification. He questioned RIP's, liquor license holder, investment in the property. Ms. Anderson described same a substantial. The security system upgrade would cost \$7,000.

Commissioner Stockton added that the Commission could wait for the DETF's report. There might be a change in policy. Ms. Anderson stated that initially there would be little change. The store would start with the smaller sizes stocked behind the counter. She noted that summer was the busy season. Commissioner Stockton wanted to acknowledge the potential for a change in policy.

Commissioner Buchanan expressed his opinion that beer sales were the issue. He questioned the Town of Normal's liquor code.

Commissioner Stockton informed the Commission that he addressed the DETF at their initial meeting. He added his interest in assurances from the License holder that spirits would be displayed behind the counter.

Commissioner Buchanan requested that if the License holder wanted to increase the sales area for liquor by ten percent (10%) that the Commission be informed prior to. In addition, any change of sales methodology, (self service), the License holder must appear before the Commission.

Commissioner Gibson questioned future gasoline sales. Ms. Anderson noted that such action was not foreseen. The state's project time line was five (5) years. Commissioner Stockton added that resumption of gasoline sales would necessitate another change of classification. The License holder would appear before the Commission to return to a GPB liquor license.

Commissioner Buchanan noted that liquor sales appeared to be a profit center. Ms. Anderson responded affirmatively.

Motion by Commissioner Tompkins, seconded by Commissioner Buchanan that the request for a change of classification from R.I.P. Oil, Inc., d/b/a Six Points Fast Stop located at 1001 Six Points Rd., currently holding a GPBS liquor license which allows the sale of packaged beer and wine only to a PAS liquor license which allows the sale of all types of packaged liquor for consumption off the premises seven (7) days a week be approved with the following condition: 1.) that the License holder must appear before the Commission prior to an increase of ten percent (10%) in the liquor sales area and/or self service sales of spirits.

Motion carried.

Commissioner Stockton informed the License holder that this item would appear on the July 11, 2011 City Council Consent Agenda. He encouraged them to attend this meeting.

There being no further business before the Commission, the meeting recessed at 4:29 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of Matthew McConnell and Megan Sanders to allow moderate consumption of alcohol at their March 17, 2012 wedding union reception to be held at Miller Park Pavilion. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Steve Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk, and Matthew McConnell, request representative.

Commissioner Stockton opened the liquor hearing and requested that Matthew McConnell, request representative, address this request. Matthew McConnell, 202 Ivanhoe Way, addressed the Commission. The request was for his wedding reception. The reception and alcohol service would cease at 10:00 p.m. The building had to be vacated by 11:00 p.m.

Commissioner Stockton expressed support for this request. In March, the park would be relatively empty.

Commissioner Buchanan noted that March 17th was St. Patrick's Day. Mr. McConnell stated that on their first, Megan Sanders, his fiancé, mentioned that she hoped to be married on St. Patrick's Day. The wedding ceremony would be at St. Patrick's Catholic Church. The wedding would occur during Lent (church calendar). The Catholic Church allows celebrations on St. Patrick's Day. He added that both he and his fiancé were of Irish descent.

Commissioner Gibson questioned the alcoholic beverage provider. Mr. McConnell stated Budget Liquors, 200 S. Linden, Normal. Liquor service would be limited to beer and wine with a champagne toast.

Commissioner Tompkins questioned if Budget Liquors held a catering license. Tracey Covert, City Clerk, was instructed to verify same with the Town of Normal.

Motion by Commissioner Purcell, seconded by Commissioner Tompkins to recommend the suspension of City ordinance for a wedding reception being held at Miller Park Pavilion on March 17, 2012.

Motion carried.

Commissioner Petersen thanked Mr. McConnell for this presentation of this request to the Commission. He added that they would be setting an example for other requests.

Commissioner Stockton informed Mr. McConnell that this item would appear on the July 11, 2011 City Council Consent Agenda. He encouraged them to attend this meeting.

There being no further business before the Commission, the meeting recessed at 4:35 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of Taken, Inc., d/b/a A. Renee, located at 306 N. Center St., currently holding a TAP 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 of packaged alcohol for consumption off the premises six (6) days a week for a change of classification to a RAPO 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 of packaged alcohol for consumption off the premises six (6) days, and an outdoor sidewalk cafe. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Steve Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk, and Amy Calhoun and Cindy Beier, owner/operators and License holder representatives.

Commissioner Stockton opened the liquor hearing and requested that the License holder explain this request. He noted that this request was for a change of classification. He added that if approved the License holder would need to obtain the permission from the City's engineering staff. Cindy Beier, owner/operator and License holder representative, addressed the Commission. A. Renee's retail shop had been open seven (7) years. During this time, the business had expanded its premise. Approximately one (1) year ago, A. Renee changed its license classification from a PB, (Packaged, Beer and wine only) to a TAP, (Tavern, All types of alcohol, Packaged). The goal was for A. Renee to operate a cafe.

Amy Calhoun, owner/operator and License holder representative, addressed the Commission. At that time, the intention was set to return to the Commission to request another change of classification. The business was able to apply for an R, Restaurant, license as the kitchen is complete. She noted that the City had expressed an interest in additional restaurants in the Downtown.

Ms. Beier cited the various events which have been held at A. Renee. She noted small wedding receptions, wedding and baby showers, and other private events. A. Renee had become a social cafe. Patrons have a wonderful time there. She added that only R, Restaurant, liquor license holders were eligible to request an O, Outdoor, license classification. A. Renee wanted to offer outdoor seating.

Ms. Calhoun believed that A. Renee built relationships with its customers. Sidewalk cafes beautify the Downtown. The sidewalk cafe would be an extension of the cafe's design. Finally, she requested that the City Code be amended to allow outdoor liquor service to commence at 9:00 a.m. Currently, liquor service is not allowed until 10:00 a.m. Their plan included Saturday breakfast during the Farmer's Market. Ms. Beier added that customers have enjoyed Bloody Marys and Mimosas with breakfast. Patrons would be able to sit outside and enjoy the Market and people watching.

Commissioner Stockton stated that the Commission supported the idea of sidewalk cafes. Commissioner Buchanan noted the importance of shade. Ms. Beier added that the area would be roped off and there would be umbrella tables.

Commissioner Tompkins questioned off premise sales. Ms. Beier noted that the retail shop offered beer and wine.

Commissioner Petersen questioned the rules for sidewalk cafes. Commissioner Stockton stated that the license holder must obtain the approval from the City's engineering staff. Staff had drafted the requirements. Ms. Beier informed the Commission that there was a plan.

Commissioner Buchanan noted that there were two (2) requests: 1.) change of classification and 2.) text amendment to change the start time from 10:00 a.m. to 9:00 a.m. He added that requests for reclassification were within the Commission's responsibilities. He questioned if this request would be placed on a Council meeting agenda.

Commissioner Stockton recommended that the Commission also prohibit the sale of packaged spirits. He added that all Downtown requests would be placed before the Council.

Commissioner Stockton opened the hearing to public comment. No one came forward to address the Commission.

Motion by Commissioner Buchanan, seconded by Commissioner Tompkins that the request for a change of classification from Taken, Inc., d/b/a A. Renee located at 306 N. Center St., currently holding a TAP liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises and all types of packaged alcohol for consumption off the premises six (6) days a week to an RAPO liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises and the sale of packaged beer and wine only for consumption off the premises six (6) days a week be approved.

Motion carried.

The Commission also supported a text amendment to Chapter 6. Alcoholic Beverages to allow outdoor service of alcohol commencing at 9:00 a.m. Staff was directed to prepare the Text Amendment for Council approval.

Commissioner Stockton informed the License holder that this item would appear on the July 11, 2011 City Council Consent Agenda. He encouraged them to attend this meeting.

There being no further business before the Commission, the meeting recessed at 4:47 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the application of Lupita's Hispanic & American Grocery, Inc., d/b/a Lupita's Hispanic & American Grocery, located at 1512 W. Market St., requesting a PAS liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Steve Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk.

Commissioner Stockton opened the liquor hearing and informed the Commission that Tim Jefferson, Applicant's attorney, had requested that this item be laid over until the Commission's July 12, 2011 meeting.

Motion by Commissioner Gibson, seconded by Commissioner Buchanan to lay this item over until the Commission's July 12, 2011.

Motion carried.

There being no further business before the Commission, the meeting recessed at 4:49 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to hear the application of Bloomington Normal Jaycees, requesting a Limited Liquor License, (LB), for the event called "Bruegala", a charitable fundraiser to be held at the Bloomington Center for the Performing Arts located at 600 N. East St., on Friday and Saturday, August 26 and 27, 2011 which allows the limited sale of beer and wine by the glass for consumption on the premises. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Steve Petersen, Mark Gibson, and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel; Bob Wall, Asst. Police Chief; Tracey Covert, City Clerk; and Eric England, Jaycees member and Applicant representative.

Commissioner Stockton opened the liquor hearing. He noted the Applicant's past experience. He added that the event would be held at the Bloomington Center for the Performing Arts, (BCPA), in conjunction with an outdoor performance at Lincoln Park. Eric England, Jaycees' member and Applicant representative, addressed the Commission. He believed that this would be the group's twelfth event. In the recent past, the event had been held at the Interstate Center. The event was a fundraiser which would be held over two (2) days from 5:00 until 11:00 p.m. Bruegala involved beer tasting. The BCPA would be hosting the outdoor entertainment and the Jaycees would be hosting the beer tasting. The goal was 3,000 attendees. Last years' attendance was 2,000.

Commissioner Buchanan questioned where the event would be held. Mr. England noted that Bruegala would utilize the BCPA's Ballroom and there also would be an outdoor tent. Bruegala offered three ounce (3 oz.) tastings. Attendees purchase tickets. He added that there would also be food sales available.

Commissioner Stockton expressed his belief that this would be a nice event for the Downtown.

Commissioner Petersen restated that the plan included the BCPA's Ballroom. Mr. England responded affirmatively. Members of the Jaycees had met with BCPA staff. Commissioner Stockton noted that the premise needed to be clarified. Mr. England informed the Commission that the park area would be fenced. Commissioner Stockton restated that beer would be available inside the BCPA and Lincoln Park area which would be fenced.

Commissioner Petersen questioned if an attendee would be able to purchase a twelve ounce (12 oz.) beer. Mr. England restated that beer would be available in three ounce (3 oz.) tastings.

Commissioner Buchanan questioned if this item was related to the City's application for an RBS liquor license for the BCPA. Commissioner Stockton responded negatively. He noted that this event was a fundraiser for the Jaycees and liquor sales would be handled by same.

Commissioner Gibson questioned if the City had a template for liquor sales at the BCPA and Lincoln Park. Commissioner Stockton noted the area between the BCPA and the park. He recommended that the motion included a definition of the premise. Mr. England offered to contact BCPA staff to request same.

Motion by Commissioner Tompkins, seconded by Commissioner Gibson to recommend to the City Council that a LB liquor license be created for Bloomington Normal Jaycees, for the event called "Bruegala", a charitable fundraiser to be held at the Bloomington Center for the Performing Arts located at 600 N. East St., on August 26 and 27, 2010 from 5:00 p.m. until 11:00 p.m.; and that the premise include the building's interior, Lincoln Park and the area connecting the two (2) premises.

Motion carried.

The Commission directed City staff to draft an ordinance suspending the City Code to allow alcohol consumption in the park.

Commissioner Stockton informed the Applicant that this item would appear before the City Council at their June 27, 2011 meeting at 7:30 p.m. The item would appear on the consent agenda. He encouraged his attendance.

Commissioner Stockton wished the Jaycees good luck with their event. Commissioner Buchanan added his belief that the event would be successful.

There being no further business the hearing recessed at 5:00 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of C & K Hotel Group, LLC d/b/a Hawthorn Suites Hotel, located at 1 Lyon Ct., requesting an RAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Steve Petersen, Mark Gibson and Geoffrey

Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk, and Quinton Staker, General Manager, and Chanchal Sandu, owner, and Applicant representatives.

Commissioner Stockton opened the liquor hearing and requested that the License holder explain this request. Quinton Staker, Hawthorn Suites Hotel's General Manager and Applicant representative, addressed the Commission. This request would allow the hotel to offer an added value for its guests. The hotel had received feedback from its guests requesting beverage and sandwich availability. The hotel lobby would be modernized and renovated.

Commissioner Stockton questioned where the beverages would be consumed. Mr. Staker noted that the hotel lobby and lounge/bar area. Signs would be posted. The area would be supervised by hotel staff. Guests would also be informed by same.

Commissioner Stockton noted that hotel management would be responsible for the entire premise.

Commissioner Tompkins questioned the adjacent conference area and management of same. He specifically questioned alcohol consumption in this area. Mr. Staker described this area as the Conference Center. Hotel management did not intend to serve alcohol in this area of the hotel. Commissioner Tompkins stated that private functions have been hosted in the area with alcohol service provided. Mr. Staker responded affirmatively. These events were not sponsored by the hotel and the responsible party must provide the hotel with proof of liquor liability coverage.

Commissioner Stockton opened the hearing to public comment. No one came forward to address the Commission.

Commissioner Gibson restated that the hotel ownership would be responsible if alcohol left the lobby/lounge/bar area. He wanted to acknowledge this risk. Mr. Staker responded affirmatively. He compared the restriction for alcohol service to enforcement of a smoke free facility.

Commissioner Stockton noted that a floor plan had been provided.

Commissioner Petersen questioned hours of service. Mr. Staker responded that alcoholic beverage service would commence at 4:00 p.m. and cease in compliance with the City Code. Commissioner Petersen questioned food service. Mr. Staker noted that the hotel was ready to begin work on a plan to add this service.

Motion by Commissioner Buchanan, seconded by Commissioner Gibson that the application by C & K Hotel Group, LLC, d/b/a Hawthorn Suites Hotel, located at 1 Lyon Ct., requesting an 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 be approved with the following condition: 1.) the premise is restricted to the lobby/lounge/bar area as shown on the floor plan submitted with the Application.

Motion carried.

Commissioner Stockton informed the License holder that this item would appear on the July 11, 2011 City Council Consent Agenda. He encouraged them to attend this meeting.

There being no further business before the Commission, the meeting recessed at 5:10 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of OSI Restaurants, Inc., d/b/a Outback Steakhouse, located at 1407 N. Veterans Pkwy., currently holding an RAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week for a change of ownership to Outback Steakhouse of Florida, LLC. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Steve Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk, and Harlan Powell, Webster Powell PC, License holder's attorney and Duane Davis, Managing Partner and License holder's representatives.

Commissioner Stockton opened the liquor hearing and requested that the License holder explain this request. He noted that the request involved a change of ownership. Harlan Powell, Webster Powell PC, License holder's attorney, addressed the Commission. This change of ownership involved a privatization process. The company had acquired a number of properties which were known by a variety of business entities. The goal was to simplify what had become a complex business structure. The general public would not see any difference in the operation of Outback Steakhouse.

Commissioner Stockton questioned the corporation's location as these were not franchise stores. He questioned who held the trademarks. Mr. Powell noted that two (2) ownership models had been provided. The parent company held all trademarks.

Duane Davis, Managing Partner and License holder's representative, addressed the Commission. He had operated Outback Steakhouse for the past twelve (12) years and held an ownership interest in the restaurant.

Commissioners Gibson and Buchanan noted that the restaurant was well operated. They were glad to see that Outback Steakhouse was remaining in the community.

Commissioner Stockton opened the hearing to public comment. No one came forward to address the Commission.

Motion by Commissioner Gibson, seconded by Commissioner Tompkins that the change of ownership for OSI Restaurants, Inc., to Outback Steakhouse of Florida, LLC, d/b/a Outback Steakhouse, located at 1407 N. Veterans Pkwy., currently holding an RAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved

Motion carried.

Commissioner Stockton informed the License holder that this item would appear on the July 11, 2011 City Council Consent Agenda. He encouraged them to attend this meeting.

There being no further business before the Commission, the meeting recessed at 5:14 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of Richard Services, Inc., d/b/a Parkview Inn, located at 1003 S. Morris Ave., requesting 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 of packaged liquor for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Steve Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk, and Rick McCormick, Applicant representative.

Commissioner Stockton opened the liquor hearing and requested that the Applicant explain this request. He noted that the request involved the consolidation of Red Bird Catering and the Parkview Inn. It was noted the Linda McCormick, Mr. McCormick's mother, has recently passed away. Mr. McCormick had served as the Secretary/Treasurer for L R & R, Inc., d/b/a Parkview Inn.

Commissioner Buchanan questioned the need for the "P", Packaged, liquor license. Rick McCormick, Applicant representative, addressed the Commission. He noted that customers have requested packaged sales. He described packaged sales as limited.

Commissioner Stockton reviewed the existing liquor license filed for Redbird Catering and Parkview Inn. Commissioner Petersen questioned the liquor license classification held by L R & R, Inc., d/b/a Parkview Inn. It was noted that this request matched the current license classification for the Parkview Inn.

Motion by Commissioner Tompkins, seconded by Commissioner Gibson that the application of Richard's Services, Inc., d/b/a Parkview Inn, located at 1003 S. Morris Ave., requesting 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 of packaged liquor for consumption off the premises seven (7) days a week be approved.

Motion carried.

Commissioner Stockton informed the License holder that this item would appear on the July 11, 2011 City Council Consent Agenda. He encouraged them to attend this meeting.

There being no further business before the Commission, the meeting recessed at 5:20 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the application of the City of Bloomington, d/b/a Bloomington Center for the Performing Arts, located at 600 N. East St., requesting 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. Present at

the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Steve Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk,

Commissioner Stockton opened the liquor hearing. Tracey Covert, City Clerk, addressed the Commission. City staff had not mailed the courtesy notices prior to the liquor hearing. She requested that this item be laid over until the Commission's July 12, 2011 meeting.

Commissioner Gibson requested that the City develop a permanent plan for this venue. City staff needed to develop a template to host indoor and outdoor events.

Motion by Commissioner Buchanan, seconded by Commissioner Tompkins to lay this item over until the Commission's July 12, 2011 meeting.

Motion carried.

There being no further business before the Commission, the meeting recessed at 5:20 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to hear the application of Blues Blowtorch Society, requesting a Limited Liquor License, (LB), for the event called "Aint Nothin but the Blues Festival", a charitable fundraiser to be held at the General Electric Employees Club grounds located at 1750 GE Rd., on Friday and Saturday, July 15 and 16, 2011 which allows the limited sale of beer and wine by the glass for consumption on the premises. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Steve Petersen, Mark Gibson, and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel; Bob Wall, Asst. Police Chief; Tracey Covert, City Clerk; and Deborah Mehlberg, Treasurer and Applicant representative.

Commissioner Stockton opened the liquor hearing. He noted the history of this event. It had been held at various locations over the years. Deborah Mehlberg, Treasurer and Applicant representative, addressed the Commission. This year would mark its tenth (10th) anniversary. She estimated attendance at 3,000 to 5,000. This event offered more than a blues festival. She noted that various workshops held during the event. There also would be a craft/merchant area, food sales, and children's activities. The park consisted of eleven (11) acres. The pool was excluded. The event would be held on two (2) days. She believed that there was adequate parking. She hoped to upgrade the Festival. In the past, she held the role of artist management. This Festival was important to the community. She described it as a heads in beds event.

Commissioner Stockton had attended this event in the past. The majority of the attendees were from out of town. He described it as a regional event. The Festival was on the map for fans of the blues.

Ms. Mehlberg stated the group's eventual goal was for the Festival to offer free admission. She noted that currently admission is charged.

Commissioner Stockton noted past locations such as the Sale Barn and TriLakes. These facilities offered a more rural setting. He cited concerns regarding noise. Ms. Mehlberg cited the large field behind the baseball field. The stage would face Country Companies which was located at 3601 GE Rd. The Society had a good sound technician. She acknowledged the proximity of the Villas at Spring Ridge.

Commissioner Gibson stated that his home was located east of the park. He cited the free Friday and Saturday nights concerts provided by Gill St. Sports Bar & Restaurant located at 3002 B Gill St. He stated that noise may become an issue. He questioned if the Festival would be using the ball diamond. Ms. Mehlberg responded negatively. The Society had rented the entire property. The main gate located on the east side of the creek would be used as the Festival's entrance.

Commissioner Gibson questioned if attendees would be parking across the street from the park. Ms. Mehlberg stated that the GE parking lot would be available. Overflow parking would be directed to Country Companies. The Society has requested police hire back.

Commissioner Petersen questioned if WGLT was still involved with the Festival. Ms. Mehlberg responded affirmatively. Another radio station, WXRJ, hoped to offer blues programming and would also be involved.

Commissioner Buchanan believed that there was a need to define the premise. He added that the Festival would end at 11:30 p.m. and be held on a Friday and Saturday night. Ms. Mehlberg noted that the last artist was scheduled to perform at 10:00 p.m. There would be a half hour break between bands. The club was rented until midnight. There would not be any music past 11:30 p.m.

Commissioner Stockton restated his concern regarding noise. Ms. Mehlberg stated that Gill St. Bar was surrounded by residential properties. The GE Employees Club grounds were surrounded by mature trees. Commissioner Stockton encouraged the Society to contact the Villas at Spring Ridge's homeowners association. Ms. Mehlberg noted the Society's intention to inform and invite them to attend the Festival. Commissioner Stockton stated the noise carries and questioned the Society's plan for same. Ms. Mehlberg stated the first step would be to turn down the volume. There would be decibel meters. The Club was enclosed and people paid admission to come in and listen to the music. Commissioner Stockton noted the Festival's reputation. The Society should want to maintain same. He advised the Society to have a plan in place beforehand to address any noise complaints. He restated that this was a great festival, the society should retain its good reputation and be out and in front of noise issues. Ms. Mehlberg stated her goal would be to minimize noise.

Commissioner Gibson did not believe that noise should be a show stopper.

Commissioner Petersen left the hearing at 5:42 p.m.

Commissioner Stockton opened the hearing for public input. No one came forward to address the Commission.

Motion by Commissioner Petersen, seconded by Commissioner Buchanan to recommend to the City Council that a LB liquor license be created for Blues Blowtorch Society, for the event called "Aint Nothin but the Blues Festival", a charitable fundraiser to be held at the General Electric Employees Club grounds located at 1705 GE Rd., on July 15 and 16, 2011 from 12:00 p.m. (noon) until 11:30 p.m.

Motion carried.

Commissioner Stockton informed the Applicant that this item would appear before the City Council at their June 27, 2011 meeting at 7:30 p.m. The item would appear on the consent agenda. He encouraged her attendance.

Ms. Mehlberg thanked the Commission for its support of the Festival.

There being no further business the hearing recessed at 5:45 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Violation Hearing for Fiesta Ranchera of IL, d/b/a Fiesta Ranchera #3, located at 1500 E. Empire St., Suite A, currently holding an RAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Mark Gibson, and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel; Bob Wall, Asst. Police Chief.

Commissioner Stockton opened the violation hearing. George Boyle, Asst. Corporation Counsel, addressed the Commission. He informed them that Nicholas Canchola, owner/operator and license holder representative, had stipulated to the facts and the sanctions portion of the violation hearing would be held at the Commission's July 12, 2011 meeting. This would be a first appearance for this establishment and the license holder did not plan to contest. The Complaint involved the sale of alcohol to a minor.

Commissioner Stockton requested that a copy of the Complaint and Stipulation be provided to the Commission prior to the July 12, 2011 meeting. The sanctions portion of the hearing would address any aggravating and/or mitigating factors. The Commission would determine the penalty. He questioned if liquor violations was an indicator of economic activity.

Mr. Boyle recommended that the Commission utilize the Town of Normal's corporation counsel staff for this hearing. Commissioner Buchanan questioned this recommendation. Mr. Boyle stated that the Town's attorney would act as an advisor to the Commission. Commissioner Stockton added that Mr. Boyle would act in the role of prosecutor. The Commission would be without an attorney to provide legal advice. He was unsure of the need but believed it was better to be prepared.

Commissioner Stockton recommended that a court reporter be scheduled. Tracey Covert, City Clerk, addressed past history regarding violations and the need for a court reporter. Mr. Boyle suggested that the City made an audio recording of the hearing. Commissioner Stockton added

that a transcript could be prepared from the audio recording. He did not want there to be a subsequent hearing/trial de novo.

Commissioner Tompkins expressed his concern regarding this establishment. Commissioner Buchanan expressed his interest in a hearing with the owner/operator and license holder.

Commissioner Stockton did not believe that this hearing would take a long time.

Mr. Boyle stated that he was ready to proceed.

Commissioner Stockton restated that controversial items should be scheduled toward the end of the Commission's meeting agenda.

Commissioner Buchanan requested that the Police Audit report be provided to the Commission on a quarterly basis. Bob Wall, Asst. Police Chief, offered to forward this report to the City Clerk's Office for inclusion in the Commission's meeting agenda packet. The Police Department had begun to send letters to those establishments which are successful. He added that the Commission was informed of those who do not pass as violations are issued.

Mr. Boyle noted as a matter of records that a violation started with a Citation and ended with an Order. He suggested that the Police report included the number of audits performed, the number of establishments that successfully passed with a listing of each establishment. Violations were a factual matter subject to a hearing before the Commission. Asst. Chief Wall noted that the Police Department did not want to jeopardize prosecution.

Commissioner Buchanan expressed his opinion that the Commission was not always informed of every violation. Commissioner Stockton acknowledged that some violations had been filtered out if a hearing was not involved. He noted that generally there was not a hearing for a first offense. This information could be included in the Commission's monthly meeting packet. Commissioner Buchanan noted his belief that the Mayor and Corporation Counsel Office had kept the Commission in the dark.

Commissioner Gibson expressed his concern and believed that the Commission should receive a full accounting.

Commissioner Buchanan noted the time lag. He requested that violations be listed on the agenda and supporting documentation be included in the Commission's meeting packet. Mr. Boyle agreed that the Complaint could be included in the packet. He believed that violations were listed on the Commission's meeting agenda.

Commissioner Stockton addressed due process. He noted the Corporation Counsel's Office concern regarding ex parte communication. A license holder's attorney could raise this issue. Commissioner Buchanan expressed his concern regarding statements made by Alderman Sage regarding Commission visits to application establishments. Charges have been made that such visits put the Commission at risk. Commissioner Stockton believed that there was a middle

ground. The Commission may view a premise but should avoid discussions with the management.

Asst. Chief Wall stated that the Commission would be provided with the Police Department's report for the first six (6) months of 2011. In the future, the report would be provided upon completion and list successful establishments. Mr. Boyle would have the responsibility of informing the Commission of all violations, settlements, etc. Mr. Boyle recommended that the Police Department's report include the number of establishments that did not pass.

Commissioner Tompkins noted that his first name had been misspelled in the Commission's May 10, 2011 meeting minutes. He requested that it be corrected.

There being no further business the hearing adjourned at 6:11 p.m.

Respectfully,

Tracey Covert, CRM, CMC, RMC
City Clerk