



MINUTES OF THE BLOOMINGTON
LIQUOR COMMISSION MEETING
TUESDAY, MAY 10, 2016 4:00 PM

1. Call to order

The meeting of the Liquor Commission was called to order by Commissioner Renner at 4:00 pm. on May 10, 2016.

2. Roll Call

Commissioners Tari Renner, Jim Jordan and Sue Feldkamp

Staff Present: George Boyle, Asst. Corporation Counsel, Cherry Lawson, City Clerk, and Clay Wheeler, Assistant Police Chief

3. Public Comment

No one came forward to address the Commission.

The following was presented:

4. Consideration of approving the Commission minutes of April 12, 2016.

Commissioner Renner asked for a motion to approve the Minutes of April 12, 2016.

Motion by Commission Jordan, and Commissioner Feldkamp seconded the motion to approve the Minutes of April 12, 2016.

Commissioner Renner directed the Clerk to call the Roll.

Ayes: Commissioners, Jordan, Renner, and Feldkamp.

Nays: None.

Motion carried.

The following was presented:

5. Consideration of the request from Cameron Wyatt and Chelsie Boyd to allow moderate consumption of alcohol at their July 16, 2016 wedding reception to be held at Davis Lodge.

Jennifer Quast, Aunt for the bride, addressed the Commission. Ms. Quast stated that Lake Road Inn would cater the reception. Beer and wine only would be served. Approximately 75 - 100 guests were anticipated.

Motion by Commissioner Jordan, seconded by Commissioner Feldkamp to recommend at the May 23, 2016 City Council meeting approval of the request of Cameron Wyatt and Chelsie Boyd to allow moderate consumption of alcohol at their July 16, 2016 wedding reception to be held at Davis Lodge.

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

Ayes: Commissioners Feldkamp, Jordan and Renner

Nays: None.

Motion carried.

The following was presented:

- 6. Consideration of the request from Chris Modos and Bethany Karraker to allow moderate consumption of alcohol at their September 10, 2016 wedding reception to be held at Davis Lodge.**

Dana Karraker, mother of the bride, addressed the Commission. Ms. Karraker stated that Budget Liquor would cater the reception. Beer and wine only would be served. Approximately 130 guests were anticipated.

Motion by Commissioner Jordan, seconded by Commissioner Feldkamp to recommend at the June 13, 2016 City Council meeting approval of the request of Chris Modos and Bethany Karraker to allow moderate consumption of alcohol at their September 10, 2016 wedding reception to be held at Davis Lodge

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

Ayes: Commissioners Feldkamp, Jordan and Renner

Nays: None.

Motion carried.

The following was presented:

- 7. Consideration of the request from Robert Zimny and Christy Birkey to allow moderate consumption of alcohol at their September 17, 2016 wedding reception to be held at Davis Lodge.**

Chisty Birkey, bride, addressed the Commission. Ms. Birkey stated that Biaggi's Restaurant would cater the reception. Beer and wine only would be served. Approximately 75 - 100 guests were anticipated.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan to recommend at the June 13, 2016 City Council meeting approval of the request of Robert Zimny and Christy Birkey to allow moderate consumption of alcohol at their September 17, 2016 wedding reception to be held at Davis Lodge.

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

Ayes: Commissioners Feldkamp, Jordan and Renner.

Nays: None.

Motion carried.

The following was presented:

8. Consideration of the request from Andrew Boyd and Elyssa Reale to allow moderate consumption of alcohol at their May 28, 2016 wedding reception to be held at Davis Lodge.

There was no representative for this event attending the meeting to answer concerns of the Commission.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan to recommend at the May 23, 2016 City Council meeting for approval of the request of Andrew Boyd and Elyssa Reale to allow moderate consumption of alcohol at their May 28, 2016 wedding reception to be held at Davis Lodge.

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

Ayes: Commissioners Feldkamp, Jordan and Renner

Nays: None.

Motion carried.

The following was presented:

9. The application of the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at 48 Sunset Rd., requesting a Limited Liquor license (LB) which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.

Mr. Boyle addressed the Commission. He stated that the festival has had a Limited Liquor License for the past several years and that there have not been any incidents, liquor license violations or other problems.

Motion by Commissioner Jordan seconded by Commissioner Feldkamp to recommend approval by the City Council of the request of the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at 48 Sunset Rd., requesting a Limited Liquor license (LBS) which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.

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

Ayes: Commissioners Feldkamp, Jordan and Renner.

Nays: None.

Motion carried

The following was presented:

10. The application of Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom, located at 113 E Monroe, requesting an EAS 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.

Cesar Castaneda and Zackary, applicants for Extravaganza Ballroom, Inc., d/b/a Extravaganza Ballroom were present to answer concerns of the Commission. Mr. Boyle presented a copy of the Bloomington City Code, Chapter 6: Section 4B Creation of New License, and asked whether the applicants were familiar with the Code. Mr. Castaneda stated that he did receive a copy of the Code. Commission Renner commented on the moratorium on new licenses for this type of business, especially those that wish to remain open until 2:00 a.m. Mr. Castaneda requested consideration for a license that would allow him to serve alcohol until 2 a.m.; a special type of business that provides for scheduled parties and events, and would allow dancing as well.

Commissioner Renner expressed concerns over having a dance hall opened serving alcohol until 2 a.m. in the downtown area. That, the commission would not send this item to Council for its consideration in these concerns. Commissioner Renner referenced Sec. 4B (5) of the Bloomington City Code in his concerns to the applicants. He stated there may be some consideration for permitting a license for up to 12 a.m.

Commissioner Feldkamp inquired as to whether the applicants were a partnership or a corporation. She referenced the sloppiness of the application, hiring of employees, and indicated that the applicants have not taken the required Bassett training. Mr. Castaneda stated that it is a partnership, that he was not aware of Bassett but would comply. Commissioner Renner and Mr. Boyle explained the requirements under Bassett and provided information on where the applicants could take the course.

Commissioner Jordan inquired about the private parties that the applicants reported on the application. Mr. Castaneda stated that the parties would have a band or DJ, hours of operation

would be 7 pm to 2 am from Friday to Sunday, the building capacity is 2,800 and there would be not catering services. Commissioner Jordan expressed concerns with the nature of the business and the location of the business, and parking. He asked the applicants whether they were familiar with the lease agreement that they had signed. He stated that the applicants would be in violation of their lease agreement should they conduct activities of a dance hall and night club.

Commissioner Renner, this item will need to be postponed due to many issues and concerns with the nature of the application (being sloppy in content and preparation), consider changing the stop time to midnight in serving alcohol, and commit to all employees being trained in Bassett. Mr. Boyle echoed the same remarks, and stated the applicants would need to state whether the business is a partnership or corporation, as well as have a conversation with the landlord regarding the restrictions on the lease.

Commissioner Jordan inquired as to the number of employees the applicant has or plan to hire, and whether the applicants plan to have video gaming in the future at this location. Mr. Castaneda stated that he had no plans in adding video gaming to this location.

Motion by Commissioner Jordan, seconded by Commissioner Feldkamp to delay this item for 30 days to allow the applicants to resubmit a clear and concise application free of errors, with a proposed stop time of 12 midnight for the selling and serving of alcohol, consult with his landlord regarding the restrictions of the lease agreement, pursue Bassett training for all employees, and resubmit the application to the City Clerk's Office within 30 days for the Commission consideration; that after 30 days, the applicants will have to restart the process paying all required fees to the Clerk's Office for processing the application.

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

Ayes: Commissioners Feldkamp, Jordan and Renner

Nays: None.

Motion carried

The following was presented:

11. The application of Signature India BLM, Inc., d/b/a Signature India, located at 1407 N Veterans Pkwy, Suite 26 requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.

Mr. Thota, owner and proprietor stated that it is the intent of his business (Signature India) to serve Indian and other international beer and wine products. He is seeking an RBS Liquor License with Sunday sales and understands that BASSET training is required.

Motion by Commissioner Feldkamp, seconded by Commissioner Jordan to forward the item to the next Regular Council Meeting for Council's consideration.

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

Ayes: Commissioners Feldkamp, Jordan and Renner

Nays: None.

Motion carried

The following was presented:

- 12. Consideration of a change of Officer Position from John H Kraus VFW Post 454, d/b/a John H Kraus VFW Post #454, located at 1006 E Lincoln St, currently holding a CA liquor license which allows the sale of all types of alcohol by the glass for the consumption on the premises seven (7) days a week. Changes are: Garey B Wick replaced Robert Clark as Commander, Adam K Jacobs replaced Garey B Wick as Sr. Vice, and Steven J. King replaced Patsy Mayer as Jr. Vice.**

Commission Renner read this item by its title and stated no motion was required. He directed the City Clerk to send a letter to the Clerk to address the appropriate letter to the State of Illinois Liquor Control Commission acknowledging change of officers.

The following was presented:

- 13. Consideration of a change of Officer position from Jayst, Inc., d/b/a Mulligan's, located at 531 N Main St, currently holding a TAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Changes are: James E Taylor has been removed as an Officer.**

Commission Renner read this item by its title and stated no motion was required. He directed the City Clerk to send a letter to the Clerk to address the appropriate letter to the State of Illinois Liquor Control Commission acknowledging change of officers.

The following was presented:

- 14. Consideration of a change of Officer positions from Mac's Convenience Stores, LLC, d/b/a Circle K #129 1903 W Market St, #1210 1210 W Market St, #1211 515 S Clinton St, #1251 2302 W Market St, #1407 2412 S Main St, #1421 1206 N Towanda Barnes Rd, currently holding a GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off the premises seven (7) days a week. Changes are: Debra Ann Gooldy replaced Bruce John Landini as Officer/Manager and Matthew Arthur McCure was added as an Officer.**

Commission Renner read this item by its title and stated no motion was required. He directed the City Clerk to send a letter to the Clerk to address the appropriate letter to the State of Illinois Liquor Control Commission acknowledging change of officers.

The following was presented:

15. Continuation of Hearing Violation Complaint #2016-004 for MCTH, Inc., d/b/a Lucky Sevens, located at 1804 S Hershey Rd Unit 9, currently holding a TAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

Terry Harris, Owner for Lucky Sevens and his legal counsel, Attorney Joe Dean were present to respond to the questions and concerns of the Commission.

Mr. Boyle offered Exhibit A for the record. Commissioner Renner, for the record are the figures that are presented a net for video gaming, food or beverage? Mr. Dean stated the figures with the numbers are gross food and beverage; the applicant's expectant income.

Commissioner Renner asked whether his concerns were correct or misdirected. Mr. Dean stated they were misdirected, that there is a small difference in the amount reported. The numbers reported are accurate. Expenses are from the food and beverage, those are gross numbers. Commissioner Renner stated the Code provides for no video parlors in the Bloomington. Mr. Dean provided an explanation as to the reason Mr. Harris has not been able to comply with the Code. Commissioner Renner asked how much time Mr. Harris need in order to be compliant.

Mr. Dean stated it depends on what the Commission want Mr. Harris to do. That he started from scratch with his business. He has a three (3) year lease agreement, that the landlord recently installed a new A/C in the building.

Commissioner Jordan commented about the net versus gross figure amount and the date Mr. Harris opened for business. The primary focus of Mr. Harris appears to be video gaming, which has been determined the basis for his license. Mr. Dean stated, income from gaming is taxed on net income, food, beverage and gaming. Commissioner Renner inquired about the invoices of Mr. Harris' business. Mr. Harris stated he had a three month printout of purchase history and would provide the information to the Commission for its review.

Commissioner Renner stated it would like for Mr. Harris to return to the Commission in 120 days with invoices for the Commission to review. Mr. Dean stated he would follow-up with Mr. Boyle within that timeframe to determine what other materials the Commission is requesting for review. Mr. Harris stated, customers often come into his establishment with discretionary income oftentimes a considerable amount and will put it into the machine. His business is located in a nice area of town where customers want to play without having to make a purchase.

Motion by Commissioner Jordan, seconded by Commissioner Feldkamp for Mr. Harris, Owner of Lucky Seven to come back to the Commission within 120 days at the September 2016 Commission Meeting with invoices from June, July and August.

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

Ayes: Commissioners Feldkamp, Jordan and Renner

Nays: None.

Motion carried

16. Adjournment.

Motion by Commission Jordan, seconded by Commissioner Feldkamp to adjourn the meeting.

Motion carried.

Respectfully submitted for consideration,

Cherry L. Lawson, City Clerk