



MINUTES OF THE BLOOMINGTON
LIQUOR COMMISSION
July 11, 2017

1. Call to order

The meeting of the Liquor Commission was called to order by Commissioner Renner at 4:04 p.m. on July 11, 2017.

2. Present

Commissioner Tari Renner. Staff: George Boyle, Asst. Corporation Counsel, Asst. Police Chief Ken Bays, and Renee Gooderham, Chief Deputy Clerk.

Commissioners Absent: Lindsey Powell and Jack Bataoel.

3. Public Comment

Commissioner Renner opened the meeting to receive Public Comment. No individuals provided comments during the meeting.

4. Consideration of approving the Commission Minutes of June 13, 2017.

Commissioner Renner approved the minutes as presented.

The following was presented:

5. Consideration of the request from Brian Munson and Lindsey Bertrand to allow moderate consumption of alcohol at their March 24, 2018 wedding reception to be held at Miller Park Pavilion.

Julie Bertrand, mother of the bride, addressed the Commission. Ms. Bertrand stated Nelson's Catering would cater the reception. Beer and wine only would be served.

Commissioner Renner stated he would recommend the item be sent to Council for its review and consideration on August 14, 2017.

The following was presented:

Due to the similarity of the requests, Items 6 and 7 were heard at the same time.

6. Consideration of the application of Martin & Bayley, Inc, d/b/a Huck's Food & Fuel, #353, located at 501 N. Hershey Rd., requesting a GTPBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises and

the sale of all types packaged beer and wine for consumption off the premises seven (7) days a week.

- 7. Consideration of the application of Martin & Bayley, Inc, d/b/a Huck's Food & Fuel, #360, located at 102 W. Oakland Ave., requesting a GTPBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises and the sale of all types packaged beer and wine for consumption off the premises seven (7) days a week.**

Commissioner Renner noted that items six and seven (6 and 7) were related.

Todd Jenney, District Manager, addressed the Commission. Mr. Jenney provided the Commission a pamphlet defining other Huck's locations Video Gaming practices. There were seventeen (17) Huck's locations that have been defined as a travel center or establishment. The travel center designation allows same to have Video Gaming. The Illinois Gaming Board required establishments to have a pouring license to obtain video gaming.

Commissioner Renner clarified travel centers was the equivalent of truck stops.

Mr. Jenney noted that video gaming setup would be similar to the Huck's located on 2401 S. Main St. The gaming area would be in a glass enclosure with one (1) table, two (2) chairs, five (5) gaming machines and chairs. Wine would be served in mini bottles, beer would be single cans. The Hershey Rd. located would serve all types of alcohol, airport bottle size. Mr. Jenney stated that they did not want the locations to become a traditional bar.

Commissioner Renner questioned placing a drink order. Mr. Jenney stated orders would be taken at the counter. Associates would be required to pour and deliver same to the gaming area. Alcoholic drinks would not be able to leave the gaming area.

Commissioner Renner questioned applying as a travel center. Mr. Jenney replied that the locations did not have the acreage.

Commissioner Renner noted that there were establishments in the City that did not have a serving license. Mr. Jenney stated those were considered travel centers or truck stops.

Mr. Jenney stated that he had full copies of the plans. He stated the glass enclosures were near the sales counter. Anyone entering the gaming area would be monitored. He noted that their long-term policy for alcohol sales had been to ID anybody who orders alcohol.

Commissioner Renner questioned violations at these locations. George Boyle, Corporation Counsel, confirmed there were no violation.

Mr. Boyle questioned selling all types of alcohol at the Hershey Rd. location. Mr. Jenney replied affirmatively, at the Oakland Ave. location there would be beer and wine only.

Mr. Boyle confirmed that at both establishments beer and wine only would be allowed. Mr. Jenney responded that was fine, they just need the serving license to obtain gaming.

Commissioner Renner appreciated Mr. Jenney's honesty. He requested input from the Police department. Ken Bays, Asst. Police Chief, addressed the Commission. Asst. Chief Bays stated that he had reviewed the 2016 calls for service for the proposed locations. The

Hershey Rd. location had nine (9) reports and twenty-six (26) calls for service. The Oakland Ave., location had 152 calls for service resulting in 124 police reports. He noted that the S. Main St. locations had ten (10) reports and fifty-three (53) calls for service. The Police Department anticipated an increase in calls for service at the proposed locations.

Commissioner Renner referred to Chapter 6, Alcoholic Beverages, Section 4B: Creation of New License – Findings, specifically number three and five (3 and 5). He believed the character and nature of the proposed establishment and the impact upon the surrounding neighborhood/city as a whole were the most relevant.

Mr. Boyle read a statement from Tom Dabareiner, Community Development Director. Staff reviewed the proposed changes at both locations. He noted that the added use of the tavern was allowed in their respective zoning districts, both locations would lack adequate parking. He requested a site plan to review and obtain an understanding of the space devoted to the new use. At this time it was not possible for Staff to accurately evaluate the potential parking issues. Mr. Dabareiner requested the decision be delayed or conditions place upon the license to allow Staff time for review. Mr. Boyle suggested that if the items were recommended for approval conditions be place upon same stating the locations must be complaint with Community Development.

Commissioner Renner opened up the meeting to hear testimony in opposition of the applications..

Sue Feldkamp, addressed the Commission. She stated that she was against the applications. She believed the City did not need another tavern. She believed if same was allowed the City would receive more request for same. She believe it sets a bad precedence. She questioned BASSETT (Beverage Alcohol Sellers and Servers Education) training certifications. Commissioner Renner stated that same could be a requirement.

Alderman Hauman, addressed the Commission. She that the Hershey Rd. location was in her neighborhood. She did not see the request as a benefit for the neighborhood and citizens. She questioned traditional food serve. She was aware that hotdogs, chips, pizza and like items were only sold. The locations were not truck stops. She believed the request would set a precedence.

Tom Hubbard, LKH, Inc., Cheeks Bar and Grill, located at 1206 Towanda Ave., owner/operator, addressed the Commission. He noted that had had a liquor license for forty (40) years and had never heard of a request quite like this. He believed there should be set hours for food service. He questioned serving alcohol at a gas station. He believed this would cause more problems for the Police Department. He noted that his establishment had video gaming. He believed that if an establishment wanted to be in the tavern business, restaurant business or entertainment business then do so and not be in the gas station business.

Gary Lambert, addressed the Commission. He appreciated Mr. Jenney's honesty. He believed the requests would set a precedence. He questioned the basis for denying the applications.

Bruce Meeks, addressed the Commission. He suggested that a condition be placed on the licenses requiring the establishments apply for a separate serving, by the glass only license.

He believed same was similar to other establishments where food, beer and wine were sold in one part and the other part was used for something else and they have separate licenses. He noted that Huck's were employee owned. He frequents the establishments. He cited concern reference the Oakland Ave. because of the smaller profile.

Commissioner Renner questioned setting a precedence. Mr. Boyle responded that not in the sense that there was called in law a binding precedent. For example, if a court made a decision in a given jurisdiction, that law can govern lower court decisions in that jurisdiction, and there needs to be some reason for that earlier precedent not to be followed unless later it becomes overturned, but that is a whole different situation. In this case, each liquor license was premise specific. Several factors in Chapter 6, Alcoholic Beverages, Section 4B, can be applied. The requirement was the hearing be fair and that it be premises specific. It was possible for too many licenses of one kind or too many licenses in the neighborhood. He did not believe same could be binding.

Mr. Hubbard noted that liquor license fees were increased beginning January 2017 to defray Police overtime costs. Allowing serving licenses at these establishments would only increase same. He questioned Huck's policy on age requirements.

Thelma Nordeen, addressed the Commission. She represented South Hill Neighborhood Association. She agreed with everything said. She cited trust in that the Liquor Commission to not allow the request to go forward.

Mr. Jenney noted that BASSETT was required by the Illinois Liquor Commission beginning July 2017 for everyone who sold alcohol. All employees would be required to take BASSETT certification. There would be an employee on site twenty – one (21) years old. Video gaming required same. He noted that all establishments sold lottery. He questioned crime, how the geographical areas compared to other businesses.

Asst. Chief Bays reiterated the 152 calls for service at the Oakland Ave. compared to twenty-six (26) at Hershey Rd. to fifty-three (53) on S. Main.

Commissioner Renner noted the comparison difficulty, each locations were unique. He believed there were a lot variables. Asst. Chief Bays believed that this would be unique because there would be pouring at the locations.

Mr. Boyle questioned proposed hours. Mr. Jenney stated gaming hours would be the same as the serving hours, as required by state law.

Commissioner Renner opened up the meeting to hear testimony in favor of the applications.

No one came forward.

Commissioner Renner stated appreciation for Huck's commitment to the Community. He noted that not many establishments could state they did not have violations. He stated that this item could be laid over to allow a meeting with Mr. Jenney and Community Development to happen. He believed that with the testimony from citizens and the information presented by Asst. Chief Bays it was clear that there were many unknown variables. He would not recommend these applications to the City Council.

The following was presented:

8. Consideration of the application of Bottles of Grain, LLC, d/b/a Bottles of Grain, located at 200 E. Lafayette St., Unit C, requesting an TBPS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises and the sale of all types packaged alcohol for consumption off the premises seven (7) days a week.

Chris Morris, the owner/operator, Bottles of Grain, addressed the Commission. He noted that this would be a craft beer package store with a small bar. There are many establishments throughout the country and especially near Chicago that same offer currently. He would offer individual bottles and four to six (4-6) packs. Patrons could sit and enjoy a craft beer also, limiting same to forty-eight (48) ounces. He did not want the establishment to become a tavern where people hang out. The intents was to educate patrons about craft beer and the process to make same. He cited the other breweries located in the City and Town of Normal. Craft beer was becoming big retail. He believed same was reducing the major brewery profits.

Commissioner Renner questioned the business model. Mr. Morris responded that patrons could taste the beers prior to purchase. He believed same would offer retail diversity due to same.

Mr. Boyle questioned seating. Mr. Morris responded eighteen to twenty (18-20). Mr. Boyle questioned draft beer selection. Mr. Morris responded affirmatively. Mr. Boyle questioned brewing on site. Mr. Morris stated that no beer would be brewed on site.

Commissioner Renner questioned BASSETT (Beverage Alcohol Sellers and Servers Education) training certification. Mr. Morris replied he had not taken the training.

Commissioner Renner noted that if approved, it would have to be with Community Development stipulation and BASSET training certification.

Commissioner Renner opened up the meeting to hear testimony in opposition of the application.

Grant Welch, addressed the Commission. He questioned the definition of a TBPS liquor license. Mr. Boyle stated Tavern, Beer and Wine only, packaged sales, all allowed Monday through Sunday.

Mr. Welch expressed concern about parking and the fact that the area and surrounding neighborhoods was becoming very family oriented. He did not believe same was beneficial to the area.

Sue Feldkamp, addressed the Commission. She cited her opposition to the license.

Barb Evans, addressed the Commission. She lived about a block for the proposed establishment. She was opposed to the establishment.

Commissioner Renner opened up the meeting to hear testimony in favor of the application.

Susan Matthews, addressed the Commission. She was in support of the application. She believed that craft beer was different than macro breweries. She noted that Mr. Norris only planned to remain open until 9:00 pm and only forty-eight (48) ounces would be served, the equivalent to three (3) beers.

Bridget Larkin addressed the Commission. She believe there was not enough information to approve or deny the application. She noted that her son resides in Chicago, he enjoys establishments that serve craft beers. More information was need on parking and the residents discussing the type of neighborhood wanted.

Jake Hopper, addressed the Commission. He stated that his family resided two (2) doors down from the proposed establishment. He stated that he had learn quite a bit of information. He questioned limits on what could be sold.

Commissioner Renner questioned parking and video gaming. Mr. Norris stated that he would not offer video gaming.

Mr. Boyle questioned if Mr. Morris would stipulate as a condition of your license to not have video gaming. Mr. Chris Morris replied that he would be willing.

Commissioner Renner stated that he was postponing to the August 8, 2017 Liquor Commission meeting to allow the other Commissioners to provide input. He recommended that Mr. Norris reach out to the neighborhood. If approved on August 8th the application would be recommended to go before the August 28, 2017 City Council meeting.

The following was presented:

- 9. Consideration of the request from Bloomington Criterium for the Saturday, August 26, 2017 bike race requesting suspension of portions of Chapter 6 of the Bloomington City Code pertaining to possession of open alcohol in public on the date of their event for portions of downtown Bloomington.**

Jan Lancaster, representative for the Bloomington Criterium, addressed the Commission: She noted that the route was the same as last year. Last was the first (1st) year that alcohol was allowed within the route. She noted that taverns and restaurants were also allowed to set out bistro table and chairs. All wrist bands and plastic cups were coordinated between the participating businesses.

Mr. Boyle requested that Ms. Lancaster convey to the applicant the need have a significant number of people to watch the places where the spectators can enter and exit, ensuring alcohol remains in the race route.

Commissioner Renner stated he would recommend the item be sent to Council for its review and consideration on the August 14, 2017 Regular Council Meeting agenda.

The following was presented:

- 10. Notification of Officer changes for the Bloomington Country Club, d/b/a Bloomington Country Club, located at 605 Towanda Ave., currently holding a CA liquor license which would allow the sale of all types of alcohol by the glass for the consumption on the premises seven (7) days a week. The changes are as follows: President, Marc Tucci to Dennis Myers; Vice-President, Thomas A. Jacob to Jay Reece; Secretary, Dennis Myer to Don Fernandes; Treasurer, Ed Vogelsinger to Matthew Doherty and Ex-Officio, Michael Wieting to Thomas A. Jacob.**

George Boyle, Corporation Counsel, noted that the Illinois Liquor Commission required that all change of officer changes be presented to the local Liquor Commission for notification purposes only.

The following was presented:

- 11. Notification of Officer changes for the Benevolent & Protective Order of Elks of USA, d/b/a Elks Lodge #281, located at 608 Seminary Ave., currently holding a CA liquor license which would allow the sale of all types of alcohol by the glass for the consumption on the premises seven (7) days a week. The changes are as follows: President Jerry Leininger to Michael R. Fowler; Vice President Michael Fowler to Raymond L. Wilkinson; Treasurer William H. Adams, Jr. to C. Walden Crouch and Secretary C. Walden Crouch to William H. Adams.**

George Boyle, Corporation Counsel, noted that the Illinois Liquor Commission required that all change of officer changes be presented to the local Liquor Commission for notification purposes only.

The following was presented:

- 12. Notification of Officer change for Mac's Convenience Stores, LLC, d/b/a Circle K #129, located at 1903 W. Market St., 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. The change is removing Timothy Alexander Miller.**

George Boyle, Corporation Counsel, noted that the Illinois Liquor Commission required that all change of officer changes be presented to the local Liquor Commission for notification purposes only.

13. Adjournment.

Commissioner Renner adjourned the meeting. Time: 5:11 p.m.

Respectfully submitted,

Renee Gooderham, R.M.C.
Chief Deputy Clerk