



MINUTES OF THE BLOOMINGTON  
LIQUOR COMMISSION  
January 9, 2018; 4:00 PM

1. **Call to Order.**

The meeting of the Liquor Commission was called to order by Commissioner Renner at 4:15 p.m. on January 9, 2018.

2. **Roll Call.**

Tari Renner, Lindsey Powell and Jack Bataoel, Commissioners; George Boyle, Asst. Corporation Counsel, Asst. Police Chief Ken Bays, and Cherry Lawson, City Clerk.

3. **Public Comment.**

No individuals provided comment.

4. **Consideration of approving the Commission minutes of December 12, 2017.**

**Motion by Commissioner Powell seconded by Commissioner Bataoel approve the minutes of December 12, 2017 with corrections.**

**Motion carried, (viva voce).**

5. **Consideration of an application submitted by P-Corn Acquisitions of Minnesota and Illinois, LLC d/b/a Bloomington Galaxy Cinema 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.**

Rob Novak, Vice President of the Food and Beverage Concession for Marcus Theater Corporation appear before the Commission to provide testimony. He stated, Marcus Theater is seeking a license to sell beer and wine at the Bloomington Galaxy Theater.

Commissioner Renner asked, what the model is and asked that Mr. Novak explain it for the record.

Mr. Novak explained that the model is the same throughout all of Marcus Theaters. They own 69 theaters throughout the Midwest. From Wisconsin, Minnesota, North Dakota, Ohio, Nebraska, Missouri. They purchased the Wehrenberg Theater about a year ago from the family. They, too, are a

family-owned company, though based in Milwaukee. Of the 69 theaters, 40 of which theaters operate and do sell beer, wine, and in a lot of cases, full liquor. He stated, they are seeking a beer and wine license, which would be sold out of a dedicated area of the concession stand where it could be served where food is present. Their process and procedures are the same across all theaters when it comes to selling liquor to the general public. They do not require wristbands for the purchase of beer or wine in their theaters.

Assistant Police Chief Bays expressed concerns over the theater not providing wristbands for patrons who purchase alcoholic beverage.

Commissioner Bataoel stated he would be comfortable with the idea of each individual person that is going to ID or serve liquor has to be passed and certified in training. Commissioner Powell agreed with the remarks of Commissioner Bataoel.

Commissioner Renner asked for a motion to approve this license with the stipulation that people serving alcohol have Bassett training, and that people purchasing alcohol be required to have some sort of wristband as they have at Ovation Cinema.

**Commissioner Powell motioned with the stipulations provided by Commissioner Renner. Commissioner Bataoel seconded the motion.**

**Ayes: Commissioners Powell, Bataoel, and Renner**

**Nays: None**

**Motion carried.**

**6. Consideration of an application changing the ownership of Windjammer Lounge, located at 2303 Stern Drive, Bloomington, IL 61701.**

Commissioner Renner introduced this item and asked whether there was a representative to testify on the item. Attorney Robert Lenz addressed the Commission.

Attorney Lenz stated he is an attorney with Meyer Capel on behalf of the Old English Inn, Ltd. Corporation, which is the license holder. Mr. Lenz requested an approval of Change of Ownership on behalf of Leslie Coombs. Her mother was the sole owner of the stock and the corporation. Leslie and her brother, Josh, would be the sole owners of this property equally with a 50/50 split. Once her mother's estate has been completely settled, Leslie Coombs would be the sole owner and proprietor of the corporation.

Mr. Lenz stated that at age 18 Ms. Coombs had a felony problem; was put on probation with no time in jail and served out her probation. Ms. Coombs has been working in the business full-time since about 19 or 20, later becoming the Operations Manager. She meets all the necessary requirements for the change of ownership.

Commissioner Renner asked Assistant Chief Bays whether he had any concerns regarding the application. Assistant Chief Bays stated the Police do not have any questions or concerns.

**Commissioner Renner asked for a formal motion to approve the change in ownership.**

**Commissioner Powell motion, and Commissioner Bataoel seconded the motion.**

**Ayes: Commissioners Powell, Bataoel, and Renner**

**Nays: None**

**Motion carried.**

7. **Notification of Officer change for 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 (Club: All Types Of Alcohol) liquor license which allows the sale of all types alcohol for consumption on the premises six days a week.**

Commissioner Renner introduced this item and asked whether any Commissioner or Mr. Boyle had any issues with this notification. No comments were offered.

8. **Consideration of recommending to the City Council a proposed ordinance clarifying authority of the Local Liquor Commissioner to fine liquor licensees, or to suspend or revoke liquor licenses for failure to pay taxes.**

Commissioner Renner introduced this item and stated that this item had been discussed at the December, 2017, Liquor Commission Meeting. Essentially, this ordinance would empower this commission to suspend or revoke liquor licenses if taxes are not paid by certain establishments.

Mr. Boyle stated that these taxes are being paid by the consumer at the time of purchase to the business. This is a means of ensuring that these taxes are timely remitted. It is not really making too much of a change, it is a clarification of practice. This is the same power that the state has.

Commissioner Renner stated, this is clarifying everything. He received public comments from Ken Myszka who wished to provide comment.

Mr. Myszka claimed he was not speaking either for or against the ordinance but making an observation. That these taxes were in a sense related to perceived value.

Commissioner Renner asked for a motion to accept the ordinance and to refer it to the next City Council Meeting.

**Commissioner Bataoel motion to accept the clarification of the current ordinance and to refer it to the next City Council Meeting, Commissioner Powell seconded the motion.**

**Ayes: Commissioners Powell, Bataoel, and Renner**

**Nays: None**

**Motion carried.**

9. **Adjournment.**

Commissioner Renner ask for motion to adjourn the meeting.

**Commissioner Bataoel motioned, and Commissioner Powell seconded the motion.**

**Motion carried: Viva Voce**

Meeting was adjourned at 4:35 p.m.

Respectfully submitted

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Cherry L. Lawson, City Clerk