



MINUTES OF THE BLOOMINGTON  
LIQUOR COMMISSION MEETING  
July 10, 2018; 4:00 PM

1. Call to Order.

The meeting of the Liquor Commission was called to order by Commissioner Renner at 4:07 P.M.

2. Roll Call.

Present: Commissioners Tari Renner, Lindsey Powell (Absent), Jack Bataoel (Absent). Staff present: George Boyle, Deputy Corporation Counsel, Asst. Police Greg Scott, Bob Mahrt, Community Development Director and Cherry Lawson, City Clerk.

3. Public Comment.

Commissioner Renner opened the meeting to receive public comment. There was no public comment offered.

4. Consideration of approving the Commission minutes of May 8 and May 17, 2018.

Commissioner Renner delayed taking action on the minutes.

5. Consideration of the request from Matthew Ganden and Madison Jameson to allow moderate consumption of beer and wine at their September 1, 2018 wedding reception at Davis Lodge.

Pete Steadman the uncle of Madison Jameson stated that Nelson Catering would be catering the event and serving beer and wine during the reception that there will not be any hard liquor served.

Commissioner Renner stated that he would send this item forward to the City Council with a positive recommendation for its consideration possibly for the second meeting in August.

6. Public Hearing on the request by Keg Grove Brewery located at 712 E. Empire Street, Bloomington to change a condition on its liquor license to allow for other types of craft beers and ciders served and/or sold that is not produced on its premise.

Commissioner Renner asked whether there were any citizens who wished to speak for or against the presented item.

Jeff Morass and Mike Phuff provided testimony for the record. Mr. Morass stated they are not looking at doing any major changes with the Brewery that basically HB 4897 had passed and

awaiting signature at this time. The Bill changes craft breweries one license in the State of Illinois to allow for a craft beer and cider tap. He indicated that he had spoken with Mr. Boyle this day who shared with him that currently the way that the license is written, cider is not an option. He stated they are not asking for that today, because it is not possible. It is a small business mindset for one small business to succeed, there are others out there as well. They are seeking one craft beer tap.

Mr. Phuff stated it just helps other craft breweries to help one another. If they want to bring in another Central Illinois brewery from Springfield or the Champaign area, they could have another small craft brewery on tap.

Commissioner Renner stated because of the new law Mr. Morass and Mr. Phuff are requesting this as an option. Both requestors confirmed.

Commissioner Renner opened the meeting to receive comments from those persons who are in support or oppose this item.

David Groenmyer, 11 White Place and lives near Keg Grove expressed concern that it is progressing into a bar type setting as opposed to a low-key establishment. He does not have an objection to this as it is staying within the boundaries of a craft brewery. Residents of the White Place Association, have expressed some objections to the establishment as it would infringe upon the nature of the neighborhood.

Kate Minninghoff residing at 7 White Place expressed concern over the changing model of as initially requested. There has been an increase of traffic in the alley, mainly the first weekend it opened. It is her hope that this does not become a neighborhood bar as it is not was is needed in a historic district.

Commissioner Renner asked AC Greg Scott whether there were any issues that he or the department was aware of with Keg Grove. AC Scott stated there had not been any issues that he is aware of.

He asked both Mr. Jeff Morass and Mr. Mike Phuff if they had anything further to add that would ease the concerns of their neighbors. Mr. Morass stated they are not attempting to change its business model as they are a Class 1 brewery in the State of Illinois. At this time Class 1 breweries are only allow to sell its own beers under the current law. The change in the law has now afforded them and others the opportunity to apply for the change in its license. They are interested in taking advantage of it; however, are not looking to change its current business model.

Commissioner Renner asked what this change entail for Keg Grove. Mr. Morass stated it would allow them to have another tap for craft beer instead of their own; swapping one of their taps for another. Commissioner Renner reiterated that there would not be any changes in Keg Grove current business such as the addition of wine or hard liquor. Mr. Morass confirmed stating, if in the future the local law should change to allow for them to have craft cider, then they would return to the Commission.

Mr. Boyle stated most places that have this type of beer and wine license does not have this condition. This condition was applied voluntarily when they applied for their license. There is not too much of a difference to the public in terms of use of alcohol on whether it originates from on premises from a craft brewery or off premises.

Commissioner Renner stated for the record that Keg Grove Brewery is not making any physical changes to its structure or business model that the request is just for the allowance to have a craft beer tap added to its business; swapping one of their for another. Commissioner Renner stated that he would positively recommend this item to the City Council for its consideration at an upcoming future meeting.

7. Public Hearing and consideration of the application of Godfrey L. Miller Lodge #1776 Inc., d/b/a Godfrey L. Miller Lodge #1776 located at 505 N. Prairie, requesting a CAS 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.

Commissioner Renner read this item by its title and asked whether there were any persons wishing to comment in support or opposition on this item. No one came forward.

Ken Hunter, Exalted Ruler for the Lodge came before the Commission.

Commissioner Renner read into the record the following statement: First there will be an opening statement and presentation by the applicant, after which time we will hear testimony from those who wish to speak in favor of the application or oppose the application. Following that the Commission will hear staff input from Mr. Bob Mahrt from Community Development. Then will hear testimony and statement from those who oppose—there was no one from the audience who wished to speak in opposition of this application, all of whom will be sworn in by the Clerk. The applicant will be given an opportunity to provide rebuttal or evidence addressing the questions concerned. After which time, the Commissioner would close the public hearing and a determination would be rendered as to its recommendation afterwards.

Mr. Hunter came forward and the City Clerk swore in his testimony for the record. He explained that the Godfrey L. Miller Lodge is the Elks Lodge. They are a non-profit organization. The reason for the liquor license is that as a non-profit organization, they do not have any other way to make money. The ability to sell liquor will give them the opportunity to raise funds in order to continue the work that they do.

Commissioner Renner asked whether this is a private Elks Lodge located at 505 N. Prairie near East Street, diagonally from Douglas Apartments. The request is to assist in raising funds for the organization. Mr. Hunter confirmed.

Mr. Hunter stated that the Lodge is involved in community related activities and charity work, that in order to perform those duties, the Lodge needs to have funds.

Commissioner Renner asked that Mr. Hunter describe the operations of the Lodge using alcohol. Mr. Hunter replied stating as of now, the Lodge will only be opened on Fridays and

Saturdays from 5 pm until closing, open to the public that he is seeking a liquor license seven (7) days a week for the reason being they do have meetings on Saturdays and Sundays as well as having other Lodges attending events. They would be serving by the drink and currently have 24 members.

Mr. Boyle asked how long Mr. Hunter has been with the organization and his title. Mr. Hunter stated that he has been with the organization for five (5) years, his title is Exalted Ruler for two years he was appointed Exalted Ruler in January 2016. Mr. Boyle asked whether there would be a cover charge for the public. Mr. Hunter stated there would not be a cover charge and if he knew the occupancy totals for the lodge. Mr. Hunter stated he turned in his report to the Building Commissioner listing 124 seats that he believes it is within that range. He has not received a report back as of today with the approved occupancy total.

Mr. Boyle stated at this point Mr. Hunter is in discussion with the Department of Community Development regarding occupancy and building situations, and asked how many employees would be working at the Lodge pouring and serving alcoholic beverages. Mr. Hunter stated at any one time it would be three to four employees, that two employees have completed Bassett Training and two are scheduled to complete it. When asked if Mr. Hunter has paid staff, he stated most are members, the waitresses and are non-members who would be paid. Mr. Hunter stated the room is not a large space, but would likely have a small band and possibly a disc jockey. His patrons are generally a more mature crowd rather than younger individuals.

Commissioner Renner asked whether there was anyone wishing to speak in support or opposition of the requested license.

Michael Manna was sworn in by the City Clerk to provide testimony. He stated he owns the property at 215 Douglas a three story and five story building which is across the street from the Lodge. He also owns the industrial warehouse along with the parking lot and space surrounding that building, with the exception of five or six spaces. The area is largely residential in nature with tenants. He expressed concern that this request would change the neighborhood in the other direction without food, having a disc jockey or the occupancy increasing to over 100. Granting a license would change the anatomy of the neighborhood. There are other establishments in town that serves the same purpose as the Elks Lodge. He is in opposition to the granting of the license as he feels the patrons will be infringing upon his property areas and disrupt his business.

Commissioner Renner asked whether there are any provisions that would prevent the Commission from limiting the occupancy numbers. Staff may state that the occupancy could go up to 115 or 120; could the Commission state the occupancy is under 100.

Mr. Boyle referenced the Bloomington City Code Chapter 6 Section 4B Creation of a License, he is looking at one of the prose where it discusses the establishment and the possible impact of a license at that establishment upon surrounding neighborhoods. It sounds as though this is what Mr. Manna is addressing No. 5, the Location of the Proposed Establishment and the Probable Impact of a Liquor Establishment at that location. One of the factors that is listed refers to the location of the building of the proposed establishment in relation to any dwelling, church, or school. He asked Mr. Manna how many properties he own in that area of the proposed liquor

license request. Mr. Manna stated five (5) and are a mixture of commercial and residential properties. Of his properties, one of them is approximately 100'feet from the applicants premise, and the other is connected. He is concerned over having the Lodge receiving a liquor license as an elderly neighbor called and asked if he would be willing to purchase her house as the neighborhood will likely change.

Mr. Boyle asked whether Mr. Manna owned an establishment in Bloomington. Mr. Manna stated he owns Pub America which has a TAS liquor license located at 604 N. Main Street. That Lucca Grill is located nearly an eighth of a mile away.

Mr. Mahrt, Community Development Director stated the lease on the building is dated back to May. The property has had some construction that was completed without appropriate permits. There are some outstanding building code issues that needs to have addressed, and there are some concerns regarding compliance with building code requirements. Those primary being emergency lights, fire separation along the eastern wall that's separating the warehouse area of the building from the place of assembly, the swing of the exit door, and the occupancy load. Until the department finalizes the floor plan, we are probably looking at that number of between 115 and 120 occupants, which would be the maximum load for the building. If this was being considered for approval, Mr. Hunter would have to adhere to appropriate building codes, secure permits and schedule a final occupancy permit upon completion of construction prior to their occupancy. He stated there is a zoning issue as well.

Commissioner Renner asked Mr. Hunter whether there is anything that he can do to work out something the issues with the location and parking space. He is recommending that this item be tabled until the next scheduled Liquor Commission Meeting so that the other two Commissioners may have an opportunity to listen to the audio recording of this meeting as they are not present today, and have an opportunity to consider the item requested.

Mr. Boyle stated for clarification that if for some reasons there is not agreement, then we will continue the creation hearing. Mr. Hunter can bring their witnesses either pro or against the petition. The Commission will continue to consider evidence on this matter as it relates to the hearing.

8. Public Hearing on the consideration of an application for approval of a change in ownership by Crawford's Corner Pub, LLC d/b/a Crawford's Corner Pub located at 610 W. Chestnut Street.

Commissioner Renner read this item by its title, asked the requestor to come forward to address the Commission, and opened the Public Hearing to receive testimony on this item.

Bob and Amie Crawford addressed the Commission and the City Clerk swore in separately their testimony. Mr. Crawford stated he and Larry Salvatore started Crawford Pub for over a year and Mr. Salvatore long term plan was never to be a partner in a pub. As a result, he purchased Mr. Salvatore's share in the business, there has not been any changes in the business; however, he would like to add his wife to the business license if in the event something were to happen to him,

she can continue to run the business. The request is to have Larry Salvatore's name removed off of the license and add Amie's name to the license. Ms. Crawford did not have any comments to add to the testimony.

Commissioner Renner reiterated the request of Mr. Crawford and asked Mr. Boyle whether he has anything to offer in regards to this request has. Mr. Boyle stated with respect to the liquor license, it would not have anyone's name on it. Mr. Crawford is transferring the other half of the LLC ownership so that his wife would be part owner. The name would remain the same on the license. He has no legal issues with what has been requested.

Mr. Boyle stated it is within the discretion of the Commissioner to determine whether to send an item to the City Council for its consideration. Commissioner Renner stated this item does not need to go to the City Council for approval.

9. Consideration of the request of The Bistro for suspension of portions of Chapter 6 of the Bloomington City Code prohibiting possession of open alcohol in public for the 300 block of North Main Street on Saturday, July 28, 2018 from 2:00 p.m. to 10:00 p.m. for its 25<sup>th</sup> Anniversary and Pride Fest.

Jan Lancaster addressed the Commissioner stating they had been trying to get a Pride Festival going for some time. Her 25 years was marked in early July, so they decided to do a combination of an Anniversary and a Pride Festival. The request is to close off the 300 block of North Main Street, leaving Monroe Street and Jefferson Street open upon the closing of Farmer's Market until 10 PM.

Mr. Boyle stated Ms. Lancaster participated in a review planning with the Special Events Committee. He asked whether she had decided to serve from the bar. Ms. Lancaster stated they had decided to serve from the bar rather than obtain a Secondary License. Although they did not have to have fencing installed, she will move forward with having it installed for security reasons. Patrons will be served in cups and will be issued wristbands.

Commissioner Renner stated he will positively recommend this item be considered by the Council on July 23, 2018.

10. Consideration of the request of Jazz Upfront for suspension of portions of Chapter 6 of the Bloomington City Code prohibiting possession of open alcohol in public for its Front Street Music Festival on Saturday, August 18, 2018 from 2:00 p.m. to 10:30 p.m. for specified areas of downtown Bloomington associated with the event.

Mr. Boyle stated the Special Event Committee met with Mr. Gaston and it is his understanding that it will be the third year for this event, there have not been any issues with Mr. Gaston event promoter, though it would have been advisable for the promoter to attend the meeting to answer questions. There was a meeting approximately 7 to 10 days ago with the Special Events Committee at that time the Assistant Chief of Police Greg Scott was in attendance as well as City staff from Public Works, Legal Services and the City Clerk's Office. Mr. Gaston was able to answer all questions posed as well as addressed all of the City's concerns, that it would be beer

and wine only with wristbands, and there would be other providers there as well. There are no changes from the last two years of the event.

Commissioner Renner stated he will positively recommend this item be considered by the Council.

11. Consideration of recommending to the City Council an Ordinance Amending Chapter 6, of the Bloomington City Code creating a new liquor license classification that would allow the retail sale of packaged beer and wine for consumption on or off the premises.

Commissioner Renner read this item by its title and stated this item was the request of Green Top Grocery, and asked the representatives to come forward and address the Commission.

Tim Sullivan, GM for Green Top stated he is present to answer any questions the Commissioner may have for them.

Mr. Boyle stated he and Mr. Sullivan had a discussion prior to the last meeting regarding his request that he had been in Urbana as he had stated at the last meeting. The language that is coming forward at the direction of the Commission is nearly word-for-word from the City of Urbana that a couple of changes were made to make the ordinance contextually similar to our ordinance. The proposed ordinance allows for consumption of packaged beer and wine only which is slightly different from Urbana which is not necessarily beer and wine only. It allows consumption of packaged beer and wine on the license premises as well. If the Commissioner approves it as written be placed on a future council meeting agenda.

Commissioner Renner asked whether the item would come forward on the first meeting in August. Mr. Boyle stated yes.

12. Adjournment.

**Motioned by Commissioner Renner adjourned the meeting at 5:26 PM.**

**Motion carried**

Respectfully submitted,

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Cherry Lawson, City Clerk