



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

1. Call to Order.

The meeting of the Liquor Commission was called to order by Commissioner Renner at 4:00 P.M.

2. Roll Call.

Present: Commissioners Tari Renner, Lindsey Powell, Jim Jordan. Staff present: George Boyle, Asst. Corporation Counsel; Asst. Police Chief Ken Bays, Special Events Coordinator Catherine Dunlap, Community Development Director Bob Mahrt, and Ashley Lara, Legislative Assistant.

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 September 11, 2018 and August 14, 2018.

Motion by Commissioner Powell to table the minutes of the September 11, 2018 and August 14, 2018 to the November 13, 2018 Liquor Commission Meetings.

Motion carried viva voce.

5. Consideration of the request from Ian Galloway and Jennifer Chedister to allow moderate consumption of beer and wine at their November 17, 2018 wedding reception at Davis Lodge.

Motion by Commissioner Jordan second by Commissioner Powell to approve sending this item to the Council for its consideration.

Commissioner Renner directed the Clerk to call the roll.

Ayes: Commissioners Powell, Jordan and Renner.

Nays: None

Motion carried.

6. Notification of a Change in Officers for the Bloomington Columbian Home Association, Inc. d/b/a Bloomington Columbian Homes Association located at 1706 R.T. Dunn Drive, currently holding a CAS (Clubs All Types with Sunday Sales) liquor license.

The Commission acknowledged the change in officers and directed the Clerk to send a letter to the State Liquor Commission notifying of the changes.

7. Public Hearing on the Change of Ownership Application of LKH, Inc., d/b/a Cheeks Bar & Grill located at 1206 Towanda Avenue, requesting a Class TAPS (Tavern and Package Sales, All Types of Alcohol, Sunday Sales) liquor license, which would allow the sale of all types of alcohol by the glass for consumption on the premises and the retail sale of packaged liquor for off premise consumption seven (7) days a week.

Commissioner Renner stated it was his understanding that there are some concerns with this item. Mr. Boyle indicated there are some concerns with Code compliance; however, the Licensee is within their compliance time of November 5. It is his understanding that Tom Hubbard is adding his son Chris to his license. Legal does not have any issues from that perspective.

Commissioner Jordan asked whether this item will return to the Commission in November for a hearing. Commissioner Renner confirmed. Mr. Boyle asked Mr. Hubbard and/or Chris Hubbard to provide some detail on the change of ownership to the Commission.

Chris Hubbard stated he has been involved with his father's business since the beginning, approximately 19 years. That he has run the operations for 19 years, there are no changes to the way Cheeks will be operating.

Commissioner Renner delayed this item until the November 13, 2018 Liquor Commission Meeting.

8. Public Hearing on the Change in Classification Application of Lupita's Hispanic and American Grocery, Inc. d/b/a Lupita's Hispanic and American Grocery, located at 1512 W. Market St., Suite 200, requesting a Class RAPS (Restaurant and Package Sales, All Types of Alcohol, Sunday Sales) liquor license, which would allow the sale of all types of alcohol by the glass for consumption on the premises, and the retail sale of packaged liquor for off premise consumption seven (7) days a week.

Commissioner Renner opened the meeting for a public hearing on Lupita's Hispanic and American Grocery. However, the owner/operator did not show for the hearing.

Mr. Boyle stated this establishment was given a permit for a restaurant license more than 12 months ago. Initially, when a license is approved by Council, it is a permit to receive a license and it needs to be acted on within six months, unless there is good cause to request another six months. That happened and it took a little longer for the

applicant to get the conversion made than a year, so they have reapplied. Mr. Boyle stated it was his understanding that the parking is adequate for this type of use, as confirmed by the City Planner. Additionally, City Building and Fire Inspectors have inspected and found no issues.

Commissioner Renner reiterated for the record this was an application from over 12 months ago that is now coming back to us. Commissioner Jordan stated asked whether the grocery store that is being converted to or adding to as a restaurant.

Mr. Boyle replied stating it was a grocery store. As he understands, they did build a restaurant facility and a bar.

Commissioner Jordan stated that he does have some questions regarding this establishment. If it is going to be a restaurant/bar and they have a liquor license that is one thing. However if it is a combination, it is his belief that the Commission may run into an issue that the Commission ran into concerning quick stops that wanted to allow for pouring of alcohol beverages. That opens another door that when they once do that, then that entitles them to other issues. Until a representative can attend and explain what their floor plan is, and its business model, the item should table.

Commissioner Powell expressed agreement stating it was couple of months ago with Green Top wanting to do something similar where a patron could open packaged liquor on premises and drink it on premises. They are a grocery store, and this appears to be similar in nature.

Commissioner Renner stated they were here to help describe why their model was closer to Garlic Press than it would have been to a quick stop. There are many unanswered questions. He asked whether Serena Fish had any questions or comments.

Serena Fish stated she does not have an objection. However wanted to make the Commission aware of something that happened this morning. There was a protest there, it was all on Hispanic media related to its employees versus the ownership. She suggested the Commission consider the incident or obtain additional information from the owners related to the events.

Commissioner Renner asked Assistant Police Chief Bays whether he was aware of the situation. AC Bays stated he was not aware of the situation. Mr. Boyle recommended the Commission table the item until the next scheduled meeting to allow the owner to attend the meeting.

Commissioner Renner asked for a motion to table the item until the next scheduled Commission Meeting on November 13, 2018 at 4 p.m.

Motion by Commissioner Jordan seconded Commissioner Powell to table this item until the next scheduled Commission Meeting.

Ayes: Commissioners Renner, Powell and Jordan.

Nays: None

Motion carried.

9. Public Hearing on the Application of Outback Steakhouse of Florida, LLC d/b/a Outback Steakhouse Restaurant requesting a Class RAS (Restaurant, All Types of Alcohol, Sunday Sales) liquor license to be located at 1637 E. Empire Street.

Curtis Akers, manager, appeared before the Commissioners to provide testimony on the request before the Commission. Commissioner Renner asked whether there is anything else the Commission needs to be made aware of with the exception of the change in location of the restaurant.

Mr. Akers stated they are going to have 40 additional seats to allow them the ability to host large parties in the prime times of the year, Christmas, all the graduations that we have here with Illinois and Wisconsin. The current building can hold two parties of 10 or more right now. In the new building, they would be able to seat 12 parties of 10 or more, be able to service more people at times when they are out and want to sit together. He has been here for many years and had ran the Chili's before coming to this location.

Mr. Boyle stated the City does not have any concerns with this request. However, the business is still under construction. Therefore, the decision of the Commission will be contingent on compliance with health and safety and building codes. Staff has no problem with it being sent with a positive recommendation.

Commissioner Renner asked for a motion then to positively recommend this to the City Council contingent upon compliance with health and safety and the regulations.

Commissioner Renner asked for a motion then to positively recommend this to the City Council, pursuant to health and safety and the regulations.

Motion by Commissioner Powell second by Commissioner Jordan to positively suggest to the City Council upon the health inspections and safety regulations.

Commissioner Renner directed the Clerk to call the roll.

Ayes: Commissioners Renner, Powell and Jordan

Nays: None

Motion carried.

10. Adjournment

Commissioner Renner asked for a motion to adjourn.

Motioned by Commissioner Jordan second by Commissioner Powell to adjourn the meeting. The meeting adjourned at 4:17 PM.

Motion carried: Viva Voce

Respectfully submitted,

Cherry L. Lawson, City Clerk