

MINUTES OF THE BLOOMINGTON
LIQUOR COMMISSION

October 13, 2009

The Bloomington Liquor Commissioner Rich Buchanan called the Liquor Hearing to order to hear the application of KOS LLC., d/b/a The Teebox Bar & Grill, located at Lot 145 Airport Park Subdivision, 12th Addition, located on Gerig Dr., near the southwest corner of Gerig Dr. and Esktam Dr., requesting an RAS 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, previously approved for Lot 132. Present at the hearing were Liquor Commissioners Rich Buchanan, Steve Petersen, and Mark Gibson; Todd Greenburg, Corporation Counsel; Renee Gooderham, Chief Deputy Clerk; Sgt. Randy Wikoff; Greg Sheffield, owner/operator and Applicant representative; and Robert Hill, of Phoenix Towers.

Absent: Commissioners Steve Stockton and Marabeth Clapp.

Commissioner Buchanan opened the liquor hearing. He explained to the Commissioners that the Applicant had appeared before the Commission on April 14, 2009. Greg Sheffield, owner/operator and Applicant representative, addressed the Commission. He informed them that he had previously been approved for Lot 132. The business would now be relocated to Lot 145.

Commissioner Peterson questioned the change. Mr. Sheffield explained that part of Lot 132 had been sold. The business would now be located next to the new Avanti's Italian Restaurant. He provided the Commission with a new floor plan. Mr. Sheffield stated that his business plan remained the same. It would offer golfing and NASCAR simulators. He planned to offer a full service menu.

Commissioner Gibson inquired about the beer garden. Mr. Sheffield responded that the beer garden faced Empire St. (Rt. 9). It would be fenced. Commissioner Gibson expressed his concern regarding amplified music. Mr. Sheffield stated amplified music would be controlled, only certain times during the summer. And if necessary would move inside.

Commissioner Buchanan inquired about staffing, especially during the busier hours. Mr. Sheffield responded that a full time manager would move from the current Bloomington location. In addition, two (2) assistant managers would be hired. A manager would be there at all times. Support for the beer garden would be at a minimum one (1) bartender and one (1) server, serving four to five (4-5) tables relative to the patrons in the area. The server could also function as the bartender. Commissioner Buchanan questioned video surveillance in the garden. Mr. Sheffield expressed his belief that it would be added. Commissioner Buchanan stated that should video not be added at this time, the Commission could come back and make it a requirement at a future date. Commissioner

Buchanan inquired if someone under the age of twenty-one (21) would be allowed in the garden. Mr. Sheffield responded he would have to play it by ear. There was the possibility that this area would be restricted to allow minors when accompanied by a parent.

Sgt. Wikoff arrived at 4:30 p.m.

Commissioner Gibson questioned when an establishment licensed as an "R" (Restaurant) turns into a "T" (Tavern). Mr. Sheffield stated that the business would open 9:00/10:00 a.m., and close at midnight. On the weekends, closing time would be 2:00 a.m. The kitchen would remain open until closing. Commissioner Gibson commented that the bar menu could be limited. If the kitchen closed before the establishment it might have a different atmosphere.

Commissioner Buchanan questioned the planned opening. Mr. Sheffield stated the lease would be signed by the beginning of next week. The plan was to open March 1, 2010.

Commissioner Peterson asked if family specials would be offered. Mr. Sheffield responded affirmatively but not on the weekends.

Motion by Commissioner Gibson, seconded by Commissioner Peterson that the application by KOS LLC, d/b/a The Teebox Bar & Grill, located at Lot 145 Airport Park Subdivision, 12th Addition, located on Gerig Dr., near the southwest corner of Gerig Dr. and Esktam Dr., requesting an RAS 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, previously approved for Lot 132, be approved with the following condition: 1.) the Commission reserves the right to observe the establishment and apply tavern "T" rules, if needed.

Motion carried.

Commissioner Buchanan informed the Applicant that this item would appear before the City Council at their November 9, 2009 meeting at 7:30 p.m. The item would appear on the consent agenda. He encouraged his attendance.

There being no further business the hearing adjourned at 4:35 p.m.

Commissioner Buchanan introduced the removal of a stockholder for KPTS, Inc., d/b/a Six Strings, located at 525 N. Center 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. The City Clerk had sent a letter to the Illinois Liquor Control Commission stating that Tim Stills had resigned as director and an officer of the corporation. Present at the hearing were Liquor Commissioners Rich Buchanan, Steve Petersen, and Mark Gibson; Todd Greenburg, Corporation Counsel; Renee Gooderham, Chief Deputy Clerk; Sgt. Randy Wikoff, and Robert Hill, of Phoenix Towers.

Motion by Commissioner Peterson, seconded by Commissioner Gibson to affirm the letter sent to the Illinois Liquor Control Commission stating that Tim Stills had resigned as director and an officer of KPTS, Inc.

Motion carried.

There being no further business the hearing adjourned at 4:47 p.m.

Commissioner Buchanan introduced the proposed text amendment, recommending the addition of another classification (SE) that would allow a business or organization to apply for a liquor license for seasonal events, lasting a specific time frame. Present at the hearing were Liquor Commissioners Rich Buchanan, Steve Petersen, and Mark Gibson; Todd Greenburg, Corporation Counsel; Renee Gooderham, Chief Deputy Clerk; and Sgt. Randy Wikoff.

Commissioner Buchanan opened the liquor hearing and requested that Renee Gooderham, Chief Deputy Clerk, speak to this item. On March 14, 2007 the Liquor Commission recommended an amendment to Chapter 6 Section 7A and 7B, Changing the Definition and Fees for SA and SB Licenses. This change allowed lifting the three (3) day restriction and established a maximum charge of \$500.00. The belief was this would allow the Bloomington Center for Performing Arts (BCPA) and the Illinois Shakespeare Festival to provide alcohol at their venues, which do not have a large enough demand to warrant applying for and holding a year round liquor license.

Commissioner Peterson questioned the classification addition. The proposed amendment was in direct response to the State of Illinois Liquor Control Commission's requirements. The State charges \$100.00 per event when the event or performer is not exactly the same. In the case of the BCPA, which will host a total of thirty-two (32) different performance events for the 2009 – 2010 season, the cost to the preferred vendor, KPTS, d/b/a Six Strings would be approximately \$2800 for the state licenses. By adding the classification, it would allow the vendor to apply for a local license for \$500 and a state retail license at a fee of \$500.

Commissioner Gibson questioned if a hearing would be required of all applicants. Ms. Gooderham responded negatively. The SE application would be processed the same as an "S" Secondary Alcoholic Liquor license. The applicant would apply, provide proof of bond and liquor liability. The license issued would be site and date specific.

The Commission expressed concern that the City's process be in line with the State. Todd Greenburg, Corporation Counsel, offered to contact the State Liquor Control Commission.

Motion by Commissioner Peterson, seconded by Commissioner Gibson to direct Corporation Counsel to verify with the State of Illinois Liquor Control Commission their

requirements and present the Text Amendment to the City Council at their November 9, 2009.

Motion carried.

There being no further business the hearing adjourned at 4:55 p.m.

Commissioner Buchanan presented the Commission with copies of the Adult Responsibility Form. He explained that the form would be reviewed prior to printing.

The Commission agreed that all references to the Town would be changed to the City. References to Normal would be changed to Bloomington.

There being no further business the hearing adjourned at 5:03 p.m.

Commissioner Buchanan questioned if Robert Hill, Phoenix Towers, resident, had any concerns. Mr. Hill responded that he would attend all meetings in which KPTS, Inc., d/b/a Six Strings appeared on the agenda.

There being no further business the hearing adjourned at 5:05 p.m.

Respectfully,

Renee Gooderham
Chief Deputy Clerk