

Council Questions/Comments and Staff Responses Report for September 8, 2014

as of September 8, 2014 at 9:00 am

CONSENT AGENDA

Alderman: Jim Fruin

Item: 6D. Waive Formal Bid Process and Authorize Purchase of Personal Protective Equipment.

Question/Comment: What do we do with replaced Protective Equipment? Are we able to sell or pass on to another Fire Department?

Staff Response: Fire Department: there are two (2) categories of turnout gear: reserved and retired. Personnel turnout gear, (coat/pants), is replaced at five to seven (5 – 7) years from issue date. When turnout gear is replaced, it is listed as reserve. It is secured at the Headquarters Station for staff members who require loaner gear when their gear is being repaired. Under NFPA 1851, the mandatory retirement age for turnout gear is ten (10) years. It can no longer be used at live structural fires. At that time, the turnout gear is donated to the Bloomington Area Career Center's Fire Science program.

Alderman: Jim Fruin

Item: 6I. Application of Seithebar, Inc., d/b/a Jazz Upfront, located at 105 W. Front St, requesting a TAS 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.

Question/Comment: Remove from the Consent Agenda.

Staff Response:

Alderman: Joni Painter

Item: Item 6L. Application of Highland CVS, LLC, d/b/a CVS Pharmacy #8660, located at 210 N. Center St., currently holding a PAS Liquor License which allows the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week; to remove condition 2.) No single serve sales permitted before 12 noon.

Question/Comment: Recommending removal of condition because they no longer have single serve items, or are we recommending it because we want them to hurry up and deplete their supply.

Staff Response: The City reached a voluntary agreement with CVS to cease single serve sales after concerns were raised by the public. The Council places conditions upon a liquor license holder. Only the Council can remove same. The City Clerk's Office provides condition listings which must be posted at the license holder's annual renewal.

REGULAR AGENDA

Alderman: David Sage

Item: Item 7B. Application of Wehrenberg, Inc., d/b/a Bloomington Galaxy 14 Cine, located at 111 Wylie Dr., 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.

Question/Comment: 1. Wehrenberg states they have Five Star Lounges in other cities. What are their specific documented processes for keeping patrons under age 21 out of these theaters? How does the kiosk? Is the kiosk staffed by a theater employee at all times to confirm no underage patrons are admitted?

2. Understanding that Wehrenberg is not currently proposing liquor sales outside the Five Star theaters, does the proposed liquor license as issued allow them to serve alcohol in the lobby without Council approval?

3. Is the only way for Five Star patrons to get alcohol to have it delivered to them right at the theater seat? If no please explain.

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Staff Response: 1.) Controlled access to Five Star Theaters by staffed kiosk. Identification is checked by an electronic device. Only patrons twenty-one (21) or older are permitted to enter. All seats are reserved, (forty-one to fifty-four/41 – 54) seats per theater. Seats can be reserved on line or purchased at the door. Patrons place their order via the call for service button. All food and beverage is delivered by wait staff. TIPS (Techniques for Intervention Procedures by Servers of Alcohol) concession training is mandatory. There will not be a lobby bar.

2.) The premises would be the proposed Five Star Lounge area. To expand the premise, Wehrenberg would have to file a request with the City and appear before the Liquor Commission and Council for an expansion of premises.

3.) There will not be a lobby bar, all food and beverage will be delivered by wait staff.

Prepared by: Tracey Covert, City Clerk