



MINUTES OF THE BLOOMINGTON
LIQUOR COMMISSION
January 12, 2016

1. Call to order

The regular meeting of the Liquor Commission was called to order by Commissioner Renner at 4:02 p.m. on January 12, 2016.

2. Roll Call

Tari Renner, and Jim Jordan Commissioners, George Boyle, Asst. Corporation Counsel, Asst. Chief Clay Wheeler, and Renee Gooderham, Chief Deputy Clerk.

Commissioner Absent: Geoffrey Tompkins.

3. Public Comment

No one came forward to address the Commission.

The following was presented:

4. Consideration of approving the Commission minutes of December 8, 2015.

Motion by Commissioner Jordan, seconded by Commissioner Renner to approve the Regular Meeting minutes of December 8, 2015.

Motion carried, (viva voce).

The following was presented:

5. Consideration of the application of B & M 16, Inc., d/b/a Cousin's Restaurant, located at 921 Maple Hill Rd., requesting a 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.

Ben Bekin, owner/applicant, B & M 16, Inc., addressed the Commission. Mr. Bekin stated that the restaurant was currently being remodeled. The restaurant hours would be 11:00 a.m. to 10:00 p.m seven (7) days a week.

Commissioner Renner questioned holding a previous liquor license. Mr. Bekin responded three (3) years ago in Streator, IL.

Commissioner Jordan questioned seating. Mr. Bekin stated occupancy was eighty-four (84). Commissioner Jordan noted that letter J on the questionnaire referencing "is the Manager of

the establishment ineligible to hold liquor license for any reason other than citizenship or residence” was answered in the affirmative. Mr. Bekin stated that the answer was a mistake. Max Salihi would be the manager.

Commissioner Jordan questioned BASSET (Beverage Alcohol Sellers and Servers Education) certification. Mr. Bekin stated he was familiar with the training, employees had not taken same. Commissioner Jordan questioned video gaming. Mr. Bekin stated there would be video gaming. Commissioner Jordan questioned clarity of the lease for same. Mr. Bekin responded that the landlord was aware that the establishment would have video gaming. A counter had been built to separate same.

George Boyle, Asst. Corporation Counsel noted that on the application individuals listed on same did not reside in the City. He reminded Mr. Bekin that the manager was required to reside in the City and a contact number be provided for same.

Commissioner Renner recommended a motion that was contingent upon proof of BASSET certification within sixty (60) days and on site local telephone number.

Commissioner Jordan questioned if video machines were not allowed would Mr. Bekin open the restaurant. Mr. Bekin responded affirmatively.

Motion by Commissioner Jordan, seconded by Commissioner Renner that the application of B & M 16, Inc., d/b/a Cousin’s Restaurant, located at 921 Maple Hill Rd., requesting a 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 be approved contingent upon: 1.) BASSET certification within sixty (60) days; 2.) an onsite local telephone number be provided to the City Clerk’s Office and 3.) compliance with all health and safety codes.

Commissioner Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Commissioners Jordan and Renner.

Nays: None.

Motion carried.

Commissioner Renner stated that this item would appear on the Council’s February 8, 2016, Consent Agenda. He encouraged Mr. Bekin to attend.

The following was presented:

- 6. Consideration of the application of Wallace LLC, d/b/a Satio, located at 306 N. Center St. Ste. 102, requesting an RAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types packaged alcohol for consumption off premise seven (7) days a week.**

Kristie Wallace, owner/applicant, addressed the Commission. She stated that her business plan would be similar to A. Renee, former owners' operation. She planned to reestablish the retail store, selling wine and gift baskets. Food service would be available, small plate concept.

Commissioner Jordan Commissioner Jordan questioned BASSET (Beverage Alcohol Sellers and Servers Education) certification. Ms. Wallace stated that she would retake the course, all of the bartenders and food service staff would be required to complete same.

Commissioner Jordan questioned hours of operation and seating capacity. Ms. Wallace stated that her hours were 10:00 a.m. to 12:00 a.m. (Midnight), six (6) days a week. George Boyle, Asst. Corporation Counsel, questioned the hours stated. Ms. Wallace responded that Monday through Wednesday the restaurant would remain open to 10:00 p.m. and Thursday through Saturday to 12:00 a.m. (Midnight).

Ms. Wallace stated that the Fire Marshall had occupancy at seventy (70), she had planned seating for forty-five (45). Commissioner Jordan questioned video gaming. Ms. Wallace responded negatively.

Mr. Boyle noted he had spoken with Ms. Wallace reference the outdoor café. She understands that same required a separate application for an 'O' Outdoor classification. Ms. Wallace responded affirmatively.

Commissioner Jordan questioned the number of employees. Ms. Wallace state five (5) to begin. Commissioner Jordan questioned familiarity with Chapter 6, Alcoholic Beverages. Ms. Wallace responded affirmatively.

Motion by Commissioner Jordan, seconded by Commissioner Renner that the the application of Wallace LLC, d/b/a Satio, located at 306 N. Center St. Ste. 102, requesting an RAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types packaged alcohol for consumption off premise seven (7) days a week be approved contingent upon 1.) an employee receive BASSET certification within sixty (60) days and 2.) compliance with all health and safety codes.

Commissioner Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Commissioners Jordan and Renner.

Nays: None.

Motion carried.

Commissioner Renner stated that this item would appear on the Council's February 8, 2016, Consent Agenda. He encouraged Ms. Wallace to attend.

The following was presented:

- 7. Consideration of the application of OSF St. Joseph Medical Center Foundation, located at 2200 E. Washington St., for a Limited Alcoholic Liquor License, Class LA, which would allow the selling and serving of all types of alcohol by the glass for consumption on the premises for a fund raiser to be held on February 26, 2016 from 6:00 to 8:30 p.m.**

Jennifer Sedbrook, applicant representative, addressed the Commission. She stated that this was an annual fundraising event to be held at the Eastland Medical Plaza I Atrium. Tickets cost \$40. All proceeds go to the medical center. She anticipated 250 guests. Guests sample food and beverages from around the world. Same was provided by local vendors.

Motion by Commissioner Jordan, seconded by Commissioner Renner that the application of OSF St. Joseph Medical Center Foundation, located at 2200 E. Washington St., for a Limited Alcoholic Liquor License, Class LA, which would allow the selling and serving of all types of alcohol by the glass for consumption on the premises for a fund raiser to be held on February 26, 2016 from 6:00 to 8:30 p.m. be approved.

Commissioner Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Commissioners Jordan and Renner.

Nays: None.

Motion carried.

Commissioner Renner stated that this item would appear on the Council's February 8, 2016, Consent Agenda. He encouraged Ms. Sedbrook to attend.

The following was presented:

- 8. Consideration of a Change of Member positions from Ireland Grove, LLC, d/b/a The Links at Ireland Grove Rd., located at 3807 Ballybunion Rd, currently holding an RBS liquor license which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week. Changes are as follows: Harold L. Hoferle to Hoef II, Inc., Jeffrey A. Hunt to J.A. Hunt Consulting Co. Addition: Darren Rogers.**

Commissioner Renner questioned the requirement for a motion. George Boyle, Asst. Corporation Counsel, stated none was required.

Commissioner Renner instructed the Clerk to address the appropriate letter to the State of Illinois Liquor Control Commission acknowledging same.

The following was presented:

- 9. Consideration of a Change and Addition for Officer positions from Red Lobster Hospitality, LLC, d/b/a Red Lobster #0130, located at 714 S. Eldorado Rd., currently holding an RAPS liquor license which allows the sale of all types of alcohol by the glass**

for consumption on the premises and the sale of all types packaged alcohol for consumption off premise seven (7) days a week. Changes are: President Carl Bradford Richmond to William Lambert. Additions are as follows: Kim Lopdrup, LLC Manager; Norma River, Vice President and Asst. Secretary and Doug Wentz, Vice President and Treasurer.

Commissioner Renner questioned the requirement for a motion. George Boyle, Asst. Corporation Counsel, stated none was required.

Commissioner Renner instructed the Clerk to address the appropriate letter to the State of Illinois Liquor Control Commission acknowledging same.

The following was presented:

10. Discussion of video gaming regulation, licensing and fees.

Commissioner Renner noted that the City had fifty-eight (58) establishments with video gaming. He stated that \$164 million was spent playing same and \$13 million net wagering activity not counting December.

George Boyle, Asst. Corporation Counsel referenced his Video Gaming Regulation and Fees memorandum. He noted that on December 11, 2015, Accel Entertainment Gaming, LLC vs. Village of Elmwood Park, 2015 IL App (1st) 143822, the First District Appellate Court upheld Village's home-rule ordinance regulating video gaming and imposing a \$1000 fee per terminal.

Mr. Boyle stated the research with other central Illinois communities revealed that the City of Urbana regulates video gaming through its liquor license ordinance. Taverns and restaurants which had liquor or food as the primary revenue source could obtain a G1 liquor license for \$500 per year and pay \$1000 per video gaming machine. He noted the G1 classification was in addition to the liquor license fees paid. The City of Urbana allows video gaming cafes. A G2 license classification costs \$5,776 annually and \$1,000 per terminal.

Currently the City does not impose a video gaming machine or terminal license. Using the City of Urbana's fee structure could raise approximately \$279,000 in annual revenue. Commissioner Renner noted that same would cover the Police Downtown hire back program.

Commissioner Jordan believed there was controversy with gaming cafes. He believed same were popular. Commissioner Renner believed that the City Council would not support same. He noted that the City currently had more gaming machines than the City of Peoria.

Mr. Boyle stated there was a range of regulation. Commissioner Renner noted that a year ago communities downstate charge some video gaming fees. He believed same ranged from \$200 to \$1000 per machine. The Town of Normal had six (6) establishments with machines. He believed that taxpayers had funding liquor enforcement since 1982.

Mr. Boyle noted that the net taxable income was \$12 million after taxes. He suggested dividing the number of terminals by the net income or 1/36 of the average net per terminal.

Commissioner Renner noted net waging activity received by various establishments. Commissioner Jordan stated that establishments and video game vendor receive 34.7%, the state received 30%, the City 5% and the remainder was the auditing company of the net waging activity.

Commissioner Jordan cited concern with gaming parlors. He believed same had little investment. He suggested conducting an audit.

Commissioner Renner believed Chapter 6, Alcoholic Beverages, required language clean up.

11. Adjournment

Motion by Commissioner Jordan, seconded by Commissioner Renner to adjourn. Time: 4:34 p.m.

Motion carried, (viva voce).

Respectfully submitted,

Renee Gooderham
Chief Deputy Clerk