

MINUTES OF THE BLOOMINGTON
LIQUOR COMMISSION

March 13, 2012

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of the Christopher Zimmerman to allow moderate consumption of alcohol at Davis Lodge for his wedding reception on June 2, 2012. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Marabeth Clapp, Steven Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel; Bob Wall, Asst. Police Chief; and Tracey Covert, City Clerk; and Denise Zimmerman, mother of the groom.

Commissioner Stockton opened the liquor hearing and requested that Denise Zimmerman, mother of the groom, address the Commission regarding this request. Mrs. Zimmerman addressed the Commission. She informed them that the wedding reception was scheduled for Saturday, June 2, 2012. Alcohol service would be provided for the wedding guests. It would be a small wedding, (approximately eighty guests would be attending). There would be a sit down dinner. The reception was schedule to last for four (4) hours. A local hotel would provide a shuttle service to and from Davis Lodge.

Commissioner Stockton noted that it appeared that Zimmermans had selected Adelpia, Inc., d/b/a Entourage, located at 909 N. Hershey Rd., to caterer the food and alcohol service. Commissioner Stockton noted that the City Clerk's Office would verify acceptable licensure.

Commissioner Petersen arrived at 4:04 p.m.

Motion by Commissioner Tompkins, seconded by Commissioner Clapp that the request of Christopher Zimmerman and Coartney Uphoff to allow moderate consumption of alcohol at Davis Lodge for their wedding reception on June 2, 2012 be approved.

Ayes: Commissioners Stockton, Buchanan, Clapp, Gibson and Tompkins.

Abstains: Commissioner Petersen.

Motion carried.

Commissioner Stockton informed Mrs. Zimmerman that this item would appear on the April 9, 2012 City Council Consent Agenda. He encouraged her to attend this meeting.

There being no further business before the Commission, the meeting recessed at 4:05 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of the Carly Dennis and Greg Varner to allow moderate consumption of alcohol

at Miller Park Pavilion for their wedding reception on December 1, 2012. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Marabeth Clapp, Steven Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel; Bob Wall, Asst. Police Chief; and Tracey Covert, City Clerk; and Carly Dennis and Greg Varner, bride and groom.

Commissioner Stockton opened the liquor hearing and requested that Carly Dennis and Greg Varner, bride and groom, address the Commission regarding their request. Ms. Dennis addressed the Commission. She informed them that the wedding reception was scheduled for Saturday, December 1, 2012. The wedding ceremony would be performed at a local church. The dinner would be buffet style. Alcohol service would be provided for the approximate 150 wedding guests. Alcohol service would be limited to beer and wine only. The reception was scheduled from 5:00 until 10:00 p.m.

Commissioner Stockton noted that it appeared that Ms. Dennis and Mr. Varner had selected Mona's from Toluca, IL to provide the food service. Famous Liquors located at 1404 E. Empire had been selected to provide the alcohol service. Commissioner Stockton noted that the City Clerk's Office would verify acceptable licensure.

Motion by Commissioner Clapp, seconded by Commissioner Tompkins that the request of Carly Dennis and Greg Varner to allow moderate consumption of alcohol at Miller Park Pavilion for their wedding reception on December 1, 2012 be approved.

Motion carried.

Commissioner Stockton informed Ms. Dennis and Mr. Varner that this item would appear on the April 9, 2012 City Council Consent Agenda. He encouraged them to attend this meeting.

There being no further business before the Commission, the meeting recessed at 4:07 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of Hurley Enterprises, LLC, d/b/a Drifters, located at 612 N. Main 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, to change the license holder name to Hurley Consolidated Enterprises, LLC, as the Illinois Secretary of State's Office rejected Hurley Enterprises, LLC. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Marabeth Clapp, Steve Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk; and Aaron Halliday, owner/operator and License holder representative.

Commissioner Stockton opened the liquor hearing and requested that the License holder explain this request. Aaron Halliday, owner/operator and License holder, addressed the Commission. Drifters was unable to obtain the Hurley Enterprises, LLC as the corporate name. He requested that the City update its records to the name approved by the Illinois Secretary of State's Office, i.e. Hurley Consolidated Enterprises, LLC.

Motion by Commissioner Tompkins, seconded by Commissioner Buchanan that the request of Hurley Enterprises, LLC d/b/a Drifters located at 612 N. Main 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 to change the license holder name to Hurley Consolidated Enterprises, LLC, the corporate name approved by the Illinois Secretary of State, be approved.

Motion carried.

Commissioner Stockton informed Mr. Halliday to visit the City Clerk's Office to obtain an updated liquor license.

There being no further business before the Commission, the meeting recessed at 4:09 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of Big Bev, Inc., d/b/a Friar Tuck Beverage, located at 2401 Maloney Dr., 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, for a Text Amendment to Chapter 6. Alcoholic Beverages, Section 1. Definitions to change the tasting time frame from three (3) to four (4) hours. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Marabeth Clapp, Steve Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk; and Matt Dunn, Friar Tuck's Store Manager and License holder representative.

Commissioner Stockton opened the liquor hearing and requested that the License holder representative explain this request. Matt Dunn, Friar Tuck's Store Manager and License holder, addressed the Commission. He requested that the hours for tastings be expanded from three (3) to four (4) hours. Friar Tuck hosts tastings on Saturday afternoons from 1:00 until 5:00 p.m. He added his belief that the Town of Normal allowed four (4) hour tastings.

George Boyle, Asst. Corporation Counsel, addressed the Commission. This request was for a Text Amendment to Chapter 6. Alcoholic Beverages, Section 1. Definitions, Wine, Beer and Spirits Tastings, C.

Bob Wall, Asst. Police Chief, addressed the Commission. The Police Department did not have any issues with this request.

Commissioner Clapp noted that there had not been any negative reports/experiences regarding tastings. Commissioner Stockton added that the City had not received a single complaint regarding tastings.

Commissioner Petersen stated that this Text Amendment would apply to all eligible license holders. Commissioner Buchanan added that the playing field would be level.

Motion by Commissioner Buchanan, seconded by Commissioner Petersen to recommended to the City Council that the Text Amendment to Chapter 6. Alcoholic Beverages, Section 1. Definitions, Wine, Beer and Spirits Tastings C be approved.

Motion carried.

Commissioner Stockton informed Mr. Dunn that this item would appear on the April 9, 2012 City Council Consent Agenda. He encouraged him to attend this meeting.

There being no further business before the Commission, the meeting recessed at 4:14 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of Arlandria, LLC, d/b/a Reality Bites, located at 414 N. Main St., currently holding an RAS liquor license which allows the sale of all types of liquor by the glass for consumption on the premises seven (7) days a week requesting the addition of a class O (Outdoor) for a sidewalk cafe. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Marabeth Clapp, Steven Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk; and Gary Pagano, owner/operator and License holder representative.

Commissioner Stockton opened the liquor hearing and requested that the License holder representative address this request. Gary Pagano, owner/operator and License holder representative, addressed the Commission. Mr. Pagano understood that his sidewalk cafe application must comply with the City Engineer's requirements. He cited recent requests from customers for outdoor seating. The area in front of the restaurant which is part of Reality Bites' premise has space for three (3) tables. The addition of a sidewalk cafe would allow for an additional two (2) tables.

Commissioner Buchanan believed that the previous license holder held a class O and had two (2) tables on the public sidewalk.

Mr. Pagano noted that the current wall/fence would remain. There would also be a barrier on the City's sidewalk.

The Commission and Mr. Pagano were presented with a letter from Kevin Kothe, City Engineer, at the hearing. Commissioner Stockton reviewed the letter. A key concern was the prevention of accidents for sight impaired individuals. Commissioner Buchanan noted that there appeared to be new recent conditions placed upon sidewalk cafes. Commissioner Stockton reminded the Council that the City's engineering staff would address these requirements.

Commissioner Stockton reminded Mr. Pagano that Reality Bites would be responsible for any action on the public sidewalk.

Commissioner Buchanan encouraged Mr. Pagano that Reality Bites' staff must use their power of observation. The sidewalk cafe must be attractive. He recommended planters, etc. Mr. Pagano responded affirmatively.

Motion by Commissioner Tompkins, seconded by Commissioner Buchanan that the request of Arlandria, LLC, d/b/a Reality Bites, located at 416 N. Main St., currently holding a TAS liquor license which allows the sale of all types of alcohol for consumption on the premises seven (7)

days a week for addition of a class O (Outdoor) for a sidewalk cafe be approved with the following condition: 1.) approval by the City Engineer.

Motion carried.

Mr. Pagano informed the Commission of his intention to contact Mr. Kothe, City Engineer. He hoped to have his sidewalk cafe open by this weekend.

Commissioner Stockton noted the Council's support of outdoor dining.

There being no further business before the Commission, the meeting recessed at 4:24 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of Pheasant Lanes Family Fun Center, LLC, d/b/a Pheasant Lanes & Kegler's Pub located at 804 N. Hershey Rd., 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 week. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Marabeth Clapp, Steven Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk; and Kevin Priller and Roger Waller, owners/operators and Applicant representatives.

Commissioner Stockton opened the liquor hearing and requested that the Applicant address this request. Kevin Priller, owner/operator and Applicant representative, addressed the Commission. He had started Pheasant Lanes with his uncle in 1998. His uncle was eighty-seven (87) years old. This application involved a change of ownership. Anthony Nelson, had served as Pheasant Lanes' Manager, for the past six (6) years. Roger Waller would be replacing his uncle as a member of the LLC.

Commissioner Stockton questioned if Mr. Waller had ownership in another liquor establishment and if he had a criminal record. Roger Waller, owner/operator and Applicant representative, addressed the Commission. He responded negatively to Commissioner Stockton's questions. He added that there were no staff changes planned at Pheasant Lanes.

Commissioner Clapp stated that the change in ownership appeared to be straight forward. She noted Kegler's Pub which would offer all types of alcohol and food. Pheasant Lanes also offered a beer garden. Mr. Priller noted that Pheasant Lanes currently held an RAS liquor license. No one under the age of twenty-one (21) years of age is allowed in the beer garden after 10:00 p.m.

Commissioner Clapp addressed the bowling alley. Mr. Priller noted that there were thirty-two (32) lanes. Food and beverage service was offered. He added that Pheasant Lanes also offered junior programs. There was no liquor service during these programs. Pheasant Lanes policies were strict. There had not been any issues.

Commissioner Buchanan requested input from the City's Police Department. Bob Wall, Asst. Police Chief, addressed the Commission. He responded negatively. He added that Pheasant Lanes passed the department's compliance check last year.

Commissioner Stockton noted recent discussions regarding the creation of an entertainment classification. The discussion included revenue sources other than alcohol. These discussions were in the early stages.

Mr. Priller noted that Pheasant Lanes was multifaceted. He cited the following revenue sources: miniature golf, bowling, pub, beer garden, etc. He added that alcohol was not allowed on the miniature golf course.

Commissioner Stockton noted the mixture of ages. Pheasant Lanes' customers were over and under the age of twenty-one (21). Mr. Priller informed the Commission that Pheasant Lanes' staff had caught under age people trying to purchase/consume alcohol. Pheasant Lanes wanted to hold a liquor license with a clean record. Pheasant Lanes' staff was trained to look for red flags.

Commissioner Tompkins commended the Applicant for the detailed application. He noted the financial statements. Pheasant Lanes ran a good business.

Motion by Commissioner Buchanan, seconded by Commissioner Tompkins that the application of Pheasant Lanes Family Fund Center, LLC, d/b/a Pheasant Lanes & Kegler's Pub located at 804 N. Hershey Rd., requesting an RAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved.

Commissioner Stockton informed the Applicant that this item would appear on the April 9, 2012 City Council Consent Agenda. He encouraged them to attend this meeting.

There being no further business before the Commission, the meeting recessed at 4:34 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of Little India Bloomington & Normal, Inc., d/b/a Little India located at 503 N. Prospect Rd., Suite 103 - 104, requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days week. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Marabeth Clapp, Steven Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk.

Commissioner Stockton opened the liquor hearing. He informed the Commission that there had been an administrative error. The courtesy notices had not been mailed as required by City Code. The Applicant had been advised of staff's error. Commissioner Stockton requested that this item be laid over until the Commission's April 10, 2012 meeting.

Motion by Commissioner Petersen, seconded by Commissioner Gibson that the application of Little India Bloomington & Normal, Inc., d/b/a Little India Restaurant, located at 503 N. Prospect Rd., Suite 103 - 104, requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises be laid over until the Commission's April 10, 2012 meeting.

Motion carried.

There being no further business before the Commission, the meeting recessed at 4:41 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Violation Hearing to order to hear the violation regarding Peggy Ann Bateman d/b/a Diggers Again! located at 230 E. Front 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 week. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Marabeth Clapp, Steven Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk.

Commissioner Stockton opened the liquor violation hearing. George Boyle, Asst. Corporation Counsel, addressed the Commission. He informed the Commission that this violation had been Ms. Bateman's first offense. The \$400 settlement had been paid. Commissioner Stockton added that first violations were now in the \$400 to \$500 range.

Commissioner Buchanan questioned the amount. Commissioner Petersen questioned the circumstances. Mr. Boyle stated that the violation was the result of Police Department compliance checks.

Commissioner Gibson noted his understanding that a liquor violation hearing involved a stipulation and a settlement. Mr. Boyle cited two (2) documents: the Complaint which lists the date and time of the violation and the Settlement.

Commissioner Buchanan noted that the Commission received a monthly list of the establishment which passed the Police Department's compliance checks.

Commissioner Tompkins expressed his appreciation for staff's efforts. He added his belief that first offenses should be subject to a \$500 fine. Commissioner Stockton noted that violation fines were the subject of one of the Commission's white papers.

Commissioner Gibson stated his preference that the Commission determine if the violation occurred. The Commission needed the flexibility to look at each violation.

Commissioner Stockton stated that the fine amounts had been raised from the past \$250 for first offenses to \$400 to \$500 for same.

There being no further business before the Commission, the meeting recessed at 4:41 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Violation Hearing to order to hear the violation regarding MugShots Bar & Grill, LLC d/b/a Mugshots Bar & Grill located at 107 W. Front St., currently holding 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 week. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Marabeth Clapp, Steven Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation

Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk; and Mark Bentley, owner/operator and License holder representative.

Commissioner Stockton opened the liquor violation hearing. George Boyle, Asst. Corporation Counsel, addressed the Commission. He reviewed the Stipulation. Commissioner Stockton questioned if the License holder was ready to address the Commission or request that the hearing be laid over to a future date. Mark Bentley, owner/operator and License holder representative, addressed the Commission. He believed that the only outstanding issue was the fine amount.

Mr. Boyle informed the Commission that Mugshots did not pass the Police Department's compliance check on November 4, 2011. The Council created Mugshots liquor license in September 2009. Mugshots first offense occurred in May 2011 and the License holder paid a \$300 fine. In November 2011, Mugshots failed another compliance check. Today's hearing would address the issuance of sanctions.

Commissioner Stockton believed that there was an agreement on the penalty.

Mr. Bentley noted that the violation occurred on a Friday night. There had been a band. He had staffed the establishment with a doorman. The individual was on a break when the Police Department conducted the compliance check. The person at the door at that time was only collecting the cover charge. He did not check identification and was not a Mugshots employee. Generally, Mugshots was staffed with a doorman on Friday and Saturday nights. For this reason Mugshots did not have issues with underage persons.

Mugshots first violation was the bartender's fault. Everyone's identification is to be checked. He viewed the second violation ironic. He had learned his lesson. When the doorman needed to take a break, this person must be replaced with another Mugshots' employee.

Commissioner Stockton noted that the License holder was the responsible party.

Commissioner Buchanan appreciated Mr. Bentley's acknowledgment but this was two (2) violations in six (6) months. He had observed Mugshots' operations. Mr. Bentley restated the Commission that Mugshots had passed compliance checks.

Commissioner Stockton noted that penalties can include fines, suspensions of the liquor license, etc. Fine severity can be based upon business conditions. Mr. Bentley believed that a nominal fine would be satisfactory.

Commissioner Petersen noted that the Council created this liquor license in 2009. Commissioner Stockton noted the earlier discussion regarding the penalty for first offenses, \$400 to \$500 range. Commissioner Tompkins cited the \$1,500 fine given Buddy's Liquors, located at 806 Eldorado Rd.

Commissioner Petersen recommended that the Commission recess to Executive Session to determine the sanction.

Motion by Commissioner Buchanan, seconded by Commissioner Gibson to recess to Executive Session, Section 2 (c) (4), Deliberations of Quasi-Adjudicative Bodies. Time: 4:50 p.m.

Motion carried.

Motion by Commissioner Buchanan, seconded by Commissioner Gibson to return to Regular Session. Time: 5:05 p.m.

Motion carried.

Commissioner Stockton noted that the Commission addressed the issues of consistency, impressions that liquor sanctions were ineffective, and requests to increase fines. The Commission agreed to a \$1,200 fine. The discussion included the possibility of a suspension. The Commission did not want to see Mr. Bentley before it for a third time. If that were to occur, the Commission would consider revocation. He recommended that Mr. Bentley carefully review Mugshots operations. He expressed his hope not to see Mr. Bentley again.

The City would issue an Order by March 16, 2012. The fine must be paid by April 16, 2012.

Mr. Bentley noted that he relied on Mugshots' employees to do the right thing.

Commissioner Stockton noted that the Commission would hold future discussions regarding liquor penalties.

There being no further business before the Commission, the meeting recessed at 5:10 p.m.

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Violation Hearing to order for Road Stop, Inc., d/b/a Road Stop located at 1513 Morrissey, currently holding a GPBS liquor license which allows the sale of packaged beer and wine only for consumption off the premises seven (7) days week. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Marabeth Clapp, Steven Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Bob Wall, Asst. Police Chief, and Tracey Covert, City Clerk.

Commissioner Stockton opened the liquor violation hearing. The Stipulation of Facts, Admission of Violation and Waiver of Hearing had been provided to the Commission. George Boyle, Asst. Corporation Counsel, addressed the Commission. He had spoken with Ramesh Atluri, proprietor. This business' liquor license was created in September 2005. There had not been any issues and/or violations. This establishment had failed two (2) compliance checks. The first one was in August 2011 and the license holder was fined \$250. The second one occurred in November 2011. The Police Department revisited those establishments that had failed a previous compliance check. Settlement for both violations was set at \$750 due by May 14, 2012. In addition, a two (2) day suspension would be served on Friday and Saturday, March 23 and 24, 2012. Finally, the license holder was instructed to implement procedures to verify age specific compliance prior to the sale of alcohol.

Commissioner Tompkins described these sanctions as lenient.

Commissioner Gibson stated that the license holder had failed to pay the first fine. He believed this action was disrespectful to the Commission. Fines must be paid in a timely manner. He recommended that the liquor license be revoked.

Mr. Boyle noted that there also was an Ordinance Violation (OV) issued and in effect. The OV ticket was paid within fourteen (14) days. The Commission's Complaint was received by the license holder after the November 2011 compliance check failure. The license holder did not have an outstanding fine.

Commissioner Gibson acknowledged Mr. Boyle's comments which put this violation in context. Mr. Boyle summarized that there had been two (2) violations in seven (7) years. Both were the result of Police Department compliance checks.

Commissioner Petersen expressed his opinion that the Police Department's compliance checks were good for the community.

Mr. Boyle restated that the license holder was given an OV for the underage sale each time. The second OV fine has not been paid as of this date.

Commissioner Gibson restated the following: 1.) a \$250 fine was paid for the OV issued in August 2011; 2.) the \$250 fine for the OV issued in November 2011 was not paid; and 3.) the Commission's sanction for these two (2) violations would be a \$750 fine plus a two (2) day suspension.

Commissioner Stockton recommended that the OV's be left out of the Commission's discussion. Commissioner Petersen restated that the sanction would be a \$750 fine plus a two (2) day suspension.

Commissioner Stockton stated his hope to avoid a full Violation hearing regarding this establishment. Generally, the fine for two (2) violations might be in the \$1,500 range. It was his decision to offer a \$750 fine plus a two (2) day suspension. He added that generally a formal violation hearing is held for a second violation. He cited the time involved and costs for same.

Commissioner Buchanan noted a second violation within a certain time frame. City staff may draft a Stipulation. However, the penalty phase should involve a discussion by the Commission. Consensus reached regarding the sanction for Road Stop, Inc., d/b/a Road Stop located at 1513 Morrissey, for two (2) violations there would be a \$750 fine and a two (2) day suspension.

There being no further business before the Commission, the meeting recessed at 5:25 p.m.

The Bloomington Liquor Commissioner Stephen Stockton opened the discussion of white papers.

Commissioner Gibson addressed the Commission regarding his white paper entitled *The Handling, Granting, and Processing of Licenses at Miller Park Pavilion and Davis Lodge, Lake Bloomington Recommendation*. He had met with the City's Parks, Recreation & Cultural Arts Department staff. There was a cost to provide this service. City staff's preference was not to provide this service. He noted that the Town of Normal's interpretation of catering was different than the City. He believed that there needed to be a level playing field. There needed to be a reciprocal approach between the two (2) communities. The City needed to assist the citizens and license holders.

He believed that there were other issues. The City needed to look at opportunities to expedite these requests. Normal issued a catering license per event. He addressed extension of premise and/or a temporary license which would be granted by City staff.

Commissioner Stockton noted that there were complications. There must be a licensed premise. The County now required a one (1) day license for Davis Lodge at a cost of \$105. He addressed the State of Illinois' interpretation of a catering license. He acknowledged that the process was cumbersome. He expressed interest in Options 2. Develop a process where license holders (caterers) apply for a one day license for the aforementioned locations with on behalf of their client with only staff/Liquor Commissioner (Mayor) approval needed and 3. Create a license for each location as has been done with the BCPA and city-owned/operated golf courses.

Commissioner Petersen noted one of the requests addressed earlier in the meeting. The food provider would be Mona's from Toluca.

Commissioner Gibson expressed his interest in a streamlined approach. City license holders could be issued a temporary license with no appearance before the Commission and/or Council. In the future, the City would be able to open up these facilities to licensed establishments with other governmental units. The City could offer reciprocity with the Town of Normal and County of McLean. In addition, the City needed to eliminate the confusion regarding the state's catering license. He restated that cash bars would not be allowed. Alcohol would be limited to beer and wine only.

Commissioner Stockton restated that a catered event meant that liquor would not be offered for sale at the event, i.e. cash bar.

Commissioner Stockton noted his intent to send the draft white papers to the Council. They would be made available to the public afterwards. The Commission would schedule discussion meetings after ranking the white papers. He believed that the Commission should start with Commissioner Buchanan's Processing of Alleged Law Violations by Licensed Bloomington Establishments.

Commissioner Buchanan recommended that the Commission read and become familiar with Commissioner Stockton's paper entitled Part 1, License Factors, Conditions and Enforcement. This paper should be required reading as it provided a foundation. He suggested that only one (1) white paper be scheduled per meeting. Commissioner Stockton concurred that some of these papers deserved a separate meeting.

Commissioner Clapp noted the Downtown Entertainment Task Force (DETF) which would be scheduling another meeting. There would be an additional white paper to address the entertainment license classification. Flexibility would be based upon revenue.

Commissioner Stockton acknowledged that the work of the DETF was incomplete. The Commission needed to move ahead. He restated that the white paper addressing violations/penalties would be first. The Commission should bring opinions and/or ideas. The Commission had heard from the Police Department, license holders and Council.

Commissioner Stockton addressed the entertainment license. He cited Laugh located at 108 E. Market St. He also noted bowling alleys as an entertainment venue. He questioned where to start this discussion.

Commissioner Clapp believed that there were basic elements, such as venue, type of entertainment, etc. The Commission should have some latitude. It should not be automatic. There should be variables to consider.

Commissioner Gibson hoped that after the DETF meeting there would be a frame work.

Commissioner Clapp noted that the Downtown bar owners were concerned.

Commissioner Petersen questioned where to start. He noted that the Downtown bars hosted bands.

Commissioner Buchanan informed the Commission that he had contacted four (4) similar communities. He wanted to add background information to his white paper. He offered to contact these communities regarding an entertainment type classification.

Commissioner Stockton had looked at the City of Springfield and Peoria's liquor codes. Both cities' codes were complicated. He viewed an entertainment classification as something between an "R", Restaurant and a "T", Tavern. He noted items such as cover charges, bowling fees, amusement fees, etc. He was interested in input from the public and license holders.

Commissioner Clapp believed that the Commission knew what it looked like. She believed that the hang up was the fifty percent (50%) of revenue.

Commissioner Gibson left the meeting at 5:50 p.m.

Commissioner Stockton noted that the Commission would look at an entertainment license classification. He welcomed input from license holders.

Consensus reached to schedule a meeting regarding the violation white paper on Tuesday, April 3, 2012 from 5:00 until 7:00 p.m. The Commission hoped the public would attend.

There being no further business before the Commission, the meeting adjourned at 5:54 p.m.

Respectfully,

Tracey Covert, CRM, CMC, RMC
City Clerk