

MINUTES OF THE BLOOMINGTON
LIQUOR COMMISSION

April 14, 2009

The Bloomington Liquor Commissioner Steve Stockton called the Liquor Hearing to hear the application of KOS, LLC, d/b/a The Teebox Bar & Grill, located at Lot 132, Airport Park Subdivision, located on Gerig Drive near the northwest corner of Gerig Dr. and Haeffele Way, 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. Present at the hearing were Liquor Commissioners Steve Stockton, Rich Buchanan, Marabeth Clapp, and Steve Petersen; Hannah Eisner, Deputy Corporation Counsel; Tracey Covert, City Clerk; and Greg Sheffield, owner/share holder and Applicant representative.

Commissioner Stockton opened the liquor hearing. He requested that the Applicant present the business plan. Greg Sheffield, owner/share holder and Applicant representative, addressed the Commission. He informed them that Bloomington Indoor Golf located at 11 Finance Dr., Suite 1, would be relocating to a new stand alone facility. He added that his current lease would expire in September 2009. He had expanded his operations to Oswego. At his current location, summers were slow. He believed that Airport Park Subdivision was located in a higher profile area of the City. The Teebox Bar & Grill would also offer a beer garden.

Commissioner Stockton questioned if the Teebox would be a Restaurant, "R", by day and evolve into a Tavern, "T", by night. Mr. Sheffield noted that this statement might be accurate dependent upon time of year. The Teebox would offer seating for eighty (80). It would offer golfing and NASCAR simulators. The simulators see more use during the winter. The Teebox would offer a place for good food and drink during the summer.

Commissioner Buchanan questioned the floor plan. Mr. Sheffield reviewed the plan with the Commission. He noted the table and bar seating. The plan included a 1,500 square foot covered beer garden.

Commissioner Buchanan questioned the letter received from Prairie Dental Associates located at 3220 Gerig Dr. Mr. Sheffield noted that the dental office would be adjacent to the Teebox. He had met with Richard Stephey, DDS this date. Dr. Stephey was concerned about overflow parking. Commissioner Buchanan questioned if a fence would be installed to divide the two (2) properties. Mr. Sheffield had offered to work with Dr. Stephey. He did not foresee any problems.

Commissioner Stockton noted that a fence would discourage pedestrian traffic. Mr. Sheffield informed the Commission that Dr. Stephey had been to Bloomington Indoor Golf. The two (2) had agreed to work out an agreement.

Commissioner Buchanan questioned the anticipated business volume. Mr. Sheffield noted that at Bloomington Indoor Golf his patrons are there to play golf. There are golf leagues. The Teebox will offer additional space. He will be able to service more customers. He noted that it would be a challenge to attract new customers.

Commissioner Stockton noted the closing time for Friday and Saturday nights, (2:00 a.m.). He questioned if the Teebox would be functioning as a restaurant at that hour. Mr. Sheffield stated that food service would start at 11:00 a.m. The Teebox might offer breakfast on Saturdays and Sundays to entice those early morning golfers. Commissioner Stockton noted that if the Teebox took on attributes of a tavern in the evening, then the City would place restrictions upon the liquor license.

Mr. Sheffield provided information about his facility in Oswego. It holds a beer and wine only liquor license. There is a no children policy after 9:00 p.m. on Friday and Saturday nights. He added that a NASCAR simulator only last ten to fifteen (10 - 15) minutes. The bulk of his revenue comes from the golf simulators.

Commissioner Stockton questioned if food would be available until 10:00 p.m. Commissioner Buchanan noted that generally "T" rules are applied an hour after the kitchen closes. He also questioned if this application was for an "A", All types of alcohol license. Mr. Sheffield responded affirmatively to the "A" application. His facility in Oswego was family oriented. He restated that the bulk of his revenues came from the simulators, (golf and NASCAR).

Commissioner Clapp questioned if Mr. Sheffield plan to place speakers outdoors, (beer garden). Mr. Sheffield stated that a decision had not been made at this time. The beer garden would cover a small area. He might consider live music in the future. However, his business plan was not based upon music for the beer garden.

Commissioner Stockton expressed his concern regarding outdoor amplified music. Mr. Sheffield noted that the beer garden would be enclosed.

Commissioner Petersen questioned if there was residential property to the north. Mr. Sheffield responded affirmatively, (apartments).

Commissioner Buchanan questioned the distance to these multi family dwellings. He also questioned the location of their parking areas.

Commissioner Petersen questioned access to the beer garden. Mr. Sheffield stated that patrons would access the Teebox via the beer garden. The location of the entry was moved which freed up interior space. Commissioner Stockton cited the Commission's preference for controlled access to the beer garden, (accessed through the restaurant). Mr. Sheffield noted that when the beer garden was open, staff would be present.

Mr. Sheffield addressed the main entrance. Commissioner Stockton restated the Commission's interest in controlled access to the beer garden. The Commission would require video monitoring of this area from the interior of the facility. The beer garden would be a part of the

licensed premise. As license holder, Mr. Sheffield would be the responsible party. In addition, the City may require a second exit. Mr. Sheffield expressed his interest in expanding the Teebox to the west. Commissioner Stockton also cited the state's smoke free law which included a fifteen foot (15') rule. The beer garden must also be open on at least three (3) sides.

Hannah Eisner, Deputy Corporation Counsel, noted that beer gardens can become an issue during the winter as license holder attempts to create an "indoor" space. Commissioner Stockton questioned if the Teebox planned to provide heaters. Mr. Sheffield responded affirmatively.

Commissioner Petersen restated that the patrons should enter the beer garden through the facility. Commissioner Stockton informed the Applicant that a new and final floor plan would need to be filed with the City Clerk's Office. Mr. Sheffield expressed his hopes to be open by the fall 2009.

Commissioner Clapp questioned any incidents at Mr. Sheffield's current operations. Mr. Sheffield responded negatively in the City. In Oswego, the facility did not pass a police audit for underage sales. The employee was suspended without pay. Notice was given to every employee.

Commissioner Stockton expressed his hope that Mr. Sheffield had training procedures for alcohol service. Mr. Sheffield responded affirmatively. He added that company training would need to be more formal as the Teebox would have a larger staff. Commissioner Stockton recommended a document which listed the rules with an employee sign off.

Commissioner Petersen reminded the Applicant that liquor sales could not commence until noon on Sunday. Mr. Sheffield responded affirmatively.

Commissioner Buchanan presented the scenario of a busy November day and questioned the staffing level. Mr. Sheffield noted that he was not in the restaurant business. He was currently searching for an experienced restaurant manager who would be able to address staffing, etc. The Teebox would also employ a golf pro. Staffing levels would be based upon business. He acknowledged that there was a lot he needed to learn about the restaurant business.

Commissioner Buchanan questioned if the Teebox could be called a sports bar. Mr. Sheffield responded affirmatively with better food.

Commissioner Stockton addressed conditions to be placed upon the license. He recommended that "T" rules apply one (1) hour after the kitchen closed. Commissioner Buchanan recommended that the sale of liquor also cease one (1) hour after the kitchen closed. Mr. Sheffield responded affirmatively.

Commissioner Stockton addressed amplified music. He recommended that there be separate controls on the audio system for the facility's interior and exterior. The Commission requested that the volume be adjusted to an appropriate level.

Motion by Commissioner Petersen, seconded by Commissioner Clapp that the application by KOS, LLC, d/b/a The Teebox Bar & Grill, located at located at Lot 132, Airport Park

Subdivision, located on Gerig Drive, near the northwest corner of Gerig Dr. and Haeffele Way 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 be approved with the following conditions: 1.) that "T" Tavern rules apply one (1) hour after the kitchen closes, and 2.) that liquor sales cease one (1) after the kitchen closes.

Motion carried.

Commissioner Stockton informed the Applicant that this item would appear before the City Council at their May 11, 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 recessed at 4:42 p.m.

The Bloomington Liquor Commissioner Steve Stockton called the Liquor Hearing to hear the request of Anjana, Inc. d/b/a W. Market Groceries, located at 301 W. Market St., currently holding a PBS liquor license which allows the sale of packaged beer and wine for consumption off the premises seven (7) days a week with the following conditions: 1.) sale of packaged beer and wine would be limited to nothing smaller than a six (6) pack of beer and 750 ml of wine; 2.) that there be no sale of alcohol before 10:00 a.m. Monday through Saturday; and 3.) that the dedicated sales space for stocking/displaying of alcohol be limited to ten percent (10%) of available floor space not to exceed 100 square feet, (reference License holder's lease); to review condition two (2) and allow liquor sales to commence at 8:00 a.m. Present at the hearing were Liquor Commissioners Steve Stockton, Rich Buchanan, Marabeth Clapp, and Steve Petersen; Hannah Eisner, Deputy Corporation Counsel; Tracey Covert, City Clerk; and Venu Danda, owner/operator and License holder representative.

Commissioner Stockton opened the liquor hearing. He requested that the License holder present his request. Venu Danda, owner/operator and License holder representative, addressed the Commission. W. Market Groceries had been open for three (3) years. He had held a PBS liquor license for two and half (2½) years. He was a hands on manager. The business was doing well. He had addressed a recent issue involving loitering. "No Loitering" signs had been posted. He acknowledged the Police Department's quick response to calls for service. He informed the Commission that he had received requests from customers who work the night shift to purchase beer before 10:00 a.m. Commissioner Stockton noted that Mr. Danda's request was to change the start time for alcohol sales from 10:00 a.m. to 8:00 a.m. Mr. Danda added that there had not been a violation at this location. Commissioner Stockton noted that the customer requests were limited, (the number two had been cited).

Commissioner Petersen recalled neighborhood concerns regarding the school bus stop. Commissioner Clapp recalled neighborhood concerns regarding loitering by patrons who had purchased alcohol. Mr. Danda restated that any concerns regarding loitering had been addressed by him and the adjacent business owners (laundromat). These two (2) businesses had the same business hours.

Commissioner Buchanan recalled at the time of the original application that there were neighborhood concerns. The neighborhood believed that the store's clientele might purchase liquor legally and then consume it illegally. He did not believe that there had been any issues at this location to date. He questioned the needed to remove condition 2. The License holder had cited the request from two (2) regular customers. Mr. Danda noted that these customers stop by every morning after work. They were good customers and he did not want to lose their business.

Commissioner Stockton noted that CVS, located at 210 N. Center St., also had limitations on start time for liquor sales, (condition 1.) no alcohol sales permitted before 9:00 a.m.; and 2.) no single serve sales permitted before 12 noon.).

Commissioner Stockton opened the hearing to public comment.

Dennis Arnold, 504 N. Lee St., addressed the Commission. He addressed Mr. Danda's request to commence liquor sales at 8:00 a.m. He cited the school bus service at the corner of Market and Roosevelt Streets. He addressed an on going problem at W. Market Groceries concerning signage placed on the store's windows. His major complaint was that these signs block the view from the windows. He added that refuse overflowed from the dumpster.

Commissioner Buchanan questioned if there were any safety issues. Mr. Danda stated that the windows were clear above four feet, (4'). He cited his concern about safety and blocking the public's view of the cash register. Commissioner Buchanan questioned compliance with the City Code. Mr. Danda added that a freezer was added for frozen food items as requested by his customers. W. Market Groceries was a neighborhood store.

Commissioner Petersen questioned the proximity of the store's customers. Mr. Danda noted that many were within walking distance.

Commissioner Buchanan stated that he was not totally committed to this condition. He questioned if the neighborhood had observed any of the problems and/or concerns that had been raised at earlier liquor hearings. Mr. Arnold cited the corner bus stop. Children are present in the morning waiting for the school bus. Mr. Danda's customers have been seen nearby. Mr. Danda added that W. Market Groceries may not sell single serve items. Mr. Arnold claimed that neighbors who were tending the community garden had seen other citizens drinking. He restated his concern regarding the ongoing signage issue. He added that other goods should be available for purchase. He specifically cited dairy products and bread. Mr. Danda responded that there had been financial issues. W. Market Groceries receives a weekly delivery. He cited the cost for a minimum order. Every week, food items are thrown away.

Commissioner Stockton encouraged Mr. Danda to look at his signage. He questioned W. Market Groceries' liquor sales. Commissioner Buchanan expressed his opinion that liquor sales were steady. Mr. Danda added that sales had increased in other product lines as well. Commissioner Buchanan questioned if Mr. Arnold had implied that W. Market Groceries was really a packaged liquor store. Mr. Arnold acknowledged that the neighborhood was shopping there. He believed that Mr. Danda needed to address customers' complaints.

Commissioner Stockton stated that the Commission's interest at this hearing was Mr. Danda's request regarding liquor sale hours. Mr. Danda had requested a change to condition 2. The City had the authority to address signage. Mr. Danda stated that he was not aware that the store was in violation of the City Code. Hannah Eisner, Corporation Counsel, addressed the Commission. She noted that the limitation regarding signage applied to establishments opened after 10:00 p.m. She cautioned that for safety purposes the view should not be obstructed. Commissioner Stockton requested that the City send out its Sign Inspector. He restated that Mr. Danda's request was to change the start time for liquor sales from 10:00 a.m. to 8:00 a.m. He restated that other Downtown packaged license holders have restrictions on sale hours. If there was support from the Commission, the City might be willing to extend a trial during the summer. He added his preference to leave condition 2 in place.

Commissioner Clapp noted that Mr. Danda had addressed the issue of loitering. She did not see a negative effect on the neighborhood. If the issue for the City was to have a uniform policy within the Downtown, then the issue was different.

Commissioner Buchanan noted that Mr. Danda had made a reasonable request. This issue was how to balance neighborhood sustainability versus property/business rights. He believed that there needed to be reasonable substance to approve this change. Mr. Danda was not turning away customers. The City needed to be consistent. There was not enough compelling evidence. He recommended that the condition 2 be sustained.

Commissioner Petersen cited the store's proximity to the Downtown. He noted that there were issues within the Downtown. There was not enough evidence to support a change. He noted the potential for a serious impact upon the neighborhood. He added that the other Downtown liquor license holders would also make similar requests.

Commissioner Stockton cited the store's proximity to the Downtown. The Commission could not accommodate Mr. Danda's request at this time. The Downtown's needs were of greater value. The City would send out its Sign Inspector to review the store's windows for compliance with the City Code.

Motion by Commissioner Buchanan, seconded by Commissioner Petersen that request of Anjana, Inc. d/b/a W. Market Groceries, located at 301 W. Market St., currently holding a PBS liquor license which allows the sale of packaged beer and wine for consumption off the premises seven (7) days a week with the following conditions: 1.) sale of packaged beer and wine would be limited to nothing smaller than a six (6) pack of beer and 750 ml of wine; 2.) that there be no sale of alcohol before 10:00 a.m. Monday through Saturday; and 3.) that the dedicated sales space for stocking/displaying of alcohol be limited to ten percent (10%) of available floor space not to exceed 100 square feet, (reference License holder's lease); to review condition two (2) and allow liquor sales to commence at 8:00 a.m. be denied.

Motion carried.

There being no further business the hearing recessed at 5:17 p.m.

The Bloomington Liquor Commissioner Steve Stockton called the Liquor Hearing to hear the request of Mercedes Restaurants, Inc., d/b/a Famous Dave's BBQ, located at 1603-B Morrissey Dr., currently holding an RAS liquor license which allows the sale of all types of alcohol for consumption on the premises seven (7) days a week to allow an outdoor dining area. Present at the hearing were Liquor Commissioners Steve Stockton, Rich Buchanan, Marabeth Clapp, and Steve Petersen; Hannah Eisner, Deputy Corporation Counsel; Tracey Covert, City Clerk; and Steve Shaw, President; Ron Helms, Vice President; and Brian Forrest, Manager, License holder representatives.

Commissioner Stockton opened the liquor hearing. He requested that the License holder present their request. Steve Shaw, President and License holder representative, addressed the Commission. He presented the Commission with photographs of the garden area. He noted the unused sidewalk to the entrance of the restaurant. This area would become the sidewalk cafe/outdoor dining area. It was noted that the City Code only addressed sidewalk cafes within the Downtown. This area would provide seating for thirty-two (32). The plan included portable posts and ropes.

Commissioner Stockton noted that this sidewalk was covered. Mr. Shaw responded affirmatively. Commissioner Buchanan described this request as an extension of premise. Commissioner Stockton questioned the business hours. Mr. Shaw stated 11:00 a.m. until 9:00 p.m. Ron Helms, Vice President and License holder representative, addressed the Commission. Famous Dave's was opened until 10:00 or 11:00 p.m. on Fridays and Saturdays. Commissioner Stockton stated his expectation that liquor sales would be limited as Famous Dave's was a restaurant. Mr. Shaw stated that this request would allow Famous Dave's to accommodate the outside diner and compete in this venue.

Commissioner Clapp questioned the location of the restaurant. Mr. Helms stated that the distance from the entrance to the restaurant to the outdoor dining area would be fifteen to twenty feet, (15 - 20').

Commissioner Stockton noted the Commission's expectation that patrons would go into the restaurant to be seated in the outdoor area. Commissioner Clapp questioned if smoking would be allowed in the outdoor dining area. Mr. Shaw restated that this sidewalk was currently unused. The sidewalk would be used for outdoor dining. Famous Dave's was not open late at night. It was not a tavern. He did not believe that restrictions that might be placed on a beer garden were applicable. Mr. Helms added that employees may use this sidewalk as an entrance. Brian Forrest, Manager and License holder representative, addressed the Commission. He added that Famous Dave's was generally closed by 9:00 p.m. Famous Dave's was destination dining. Commissioner Stockton expressed his belief that a chain to mark the area would be adequate. The License holder also needed to consider a more permanent fence for the backside of the sidewalk. The Commission would also require video monitoring.

Commissioner Petersen expressed his belief that this outdoor dining area would not be permanent. Mr. Shaw stated that this area would only be opened during the summer months.

Commissioner Buchanan noted that a chain would provide a definition of the premise. Commissioner Stockton added that the chains would provide a visual barrier. He described this request as being similar to the area in front of Central Station located at 220 E. Front St.

Commissioner Buchanan noted that the premise would be based upon the License holder's drawing. Commissioner Stockton stated that the sidewalk was nine feet (9') wide. He questioned if there were any issues with their landlord. The Commission wanted a delineation for the end of sidewalk.

Commissioner Petersen questioned if the restaurant's patrons would be allowed to take an alcoholic beverage to the outdoor dining area. Commissioner Stockton stated that the License holder would begin with table service only.

Motion by Commissioner Buchanan, seconded by Commissioner Clapp that request of Mercedes Restaurants, Inc., d/b/a Famous Dave's BBQ, located at 1603-B Morrissey Dr., currently holding 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 to allow an outdoor dining area/extension of premise with the following conditions: 1.) delineation of the edge of the sidewalk; 2.) south end of the area shall have a more permanent structure; 3.) the License holder shall provide a drawing of the area; and 4.) that there be video monitoring of the exterior area from the restaurant's interior.

Motion carried.

There being no further business the hearing recessed at 5:30 p.m.

Commissioner Stockton opened the discussion of liquor service at City facilities. Present at the hearing were Liquor Commissioners Steve Stockton, Rich Buchanan, Marabeth Clapp, and Steve Petersen; Hannah Eisner, Deputy Corporation Counsel; Tracey Covert, City Clerk; John Kennedy, Interim Director of Parks & Recreation/Cultural Arts & Leisure; and Craig Cummings, Director of Water.

Commissioner Stockton noted that alcohol had been served at City facilities. He cited the Zoo Do. He believed that this fall the event would be held at the Miller Park Zoo. Alcohol had also been served at charitable dinners and a wedding at the Miller Park Pavilion. The City had also received a request to hold a wedding reception at the Davis Lodge. Issues to be addressed included type of party, time of year, etc. He did not want events spilling out onto the City's property. Concerns had been raised regarding supervision and policing of the City's facilities. The City could require the use of established caterers. He noted that the Davis Lodge was not located within the City. He questioned the City's ability to control a liquor license issued for this facility.

Hannah Eisner, Deputy Corporation Counsel, addressed the Commission. She noted that a cash bar would require a liquor license. Commissioner Stockton questioned the City's ability to exercise control over who was on the property. The City could exercise some control over the use of the facility by requiring that the caterer hold a City liquor license. He added his willingness to try allowing liquor at City facilities on a trial basis.

Commissioner Stockton added that the Council approves class “L” Limited liquor licenses. There had been discussion of amending this section of the City Code. Other issues had addressed the belief that the Council did not need to approve the suspension of the Alcoholic Beverage Code.

John Kennedy, Interim Director of Parks & Recreation/Cultural Arts & Leisure, addressed the Commission. The City’s golf courses have proven that liquor could be sold at City facilities without issue. There had been discussions regarding the Miller Park Pavilion. There needed to be established parameters. He cited the type of event as an example. The Parks & Recreation/Cultural Arts & Leisure Department was not opposed to the idea. He noted that there was a demand.

Commissioner Stockton suggested that the use of City facilities could be considered an extension of premise. Ms. Eisner expressed her opinion that the City needed to set standards. She addressed the following items: 1.) conflict with other events; 2.) law enforcement; and 3.) time limits, (three to four hours was recommended).

Commissioner Petersen noted the public perception that liquor service was allowed at the Davis Lodge.

Commissioner Buchanan questioned if a Text Amendment would be required. Commissioner Stockton acknowledged that the Davis Lodge and Miller Park Pavilion were City facilities. He questioned when to involve the Council. Commissioner Buchanan questioned responsibility for those close to the operation. Ms. Eisner agreed that any change should be codified. Requests would need to meet the City’s criteria.

Commissioner Buchanan noted City staff’s concerns regarding security at the Davis Lodge. Craig Cummings, Director of Water, addressed the Commission. He expressed his interest in having a Water Department employee present at these events. The Water Department no longer had sworn personnel.

Commissioner Petersen expressed his opinion that the Lake Bloomington Association would want to be included in the discussion. Mr. Cummings added that the City needed the Association’s input. He noted that there would be black out dates. He cited the 4th of July as an example.

Commissioner Stockton noted that liquor was served at the Easter Seals Camp. Ms. Eisner noted that this group was a Lake Lease holder. Commissioner Stockton stated that there were events at the lake where liquor was served. Ms. Eisner noted that this change would create a source of revenue for the City. The City could limit the use of these facilities and increase the current fee to rent same. Mr. Cummings described the current fee as modest. The Davis Lodge also offers a commercial kitchen. Mr. Kennedy cited the fee for a wedding reception at the Miller Park Pavilion at \$700.

Commissioner Petersen questioned the Davis Lodge’s premise. Mr. Cummings acknowledged that the premise was not well defined. He added that the area was not fenced. Commissioner

Petersen questioned if the current rental was modest. Mr. Cummings cited the Lodge's remote location. He expressed his interest in obtaining input from the McLean County Sheriff's Department.

Commissioner Stockton encouraged Mr. Cummings to contact the Lake Bloomington Association, the McLean County Sheriff's Department, and the Water Department's staff. Mr. Cummings informed the Commission that currently the Water Department did not patrol the Lodge area. He knew that liquor had been consumed there. To date, there had not been any issues.

Commissioner Buchanan believed that the County Sheriff's Department had an auxiliary.

Mr. Kennedy restated that the Parks & Recreation/Cultural Arts & Leisure Department was not opposed to the idea. He questioned how the City could accomplish same. Commissioner Stockton noted that the Commission would need a list of black out dates and times from both departments. Mr. Kennedy questioned if the City should take out a liquor license for the Miller Park Pavilion.

Ms. Eisner recommended that the City prepare definitions. She cited the following limitations: 1.) the event be catered with food; 2.) the event must end by 10:00 p.m.; 3.) the event may only last for three hours; and 4.) the events be limited to weddings and/or those hosted by non for profit organizations.

Commissioner Petersen recommended that the fee be set high enough as he believed that these two (2) facilities would be popular. Both facilities were beautiful. Ms. Eisner restated that the City needed to set limits. She cited time of year as an example. Commissioner Stockton directed Ms. Eisner to draft parameters. Mr. Kennedy expressed his interest in same. He informed the Council that he had received a request to host a wedding reception at the Miller Park Pavilion. Commissioner Stockton had attended the wedding reception held there in December 2008. The City needed to respond to these request. He suggested that the City respond to these two (2) requests as a trial, (wedding receptions - Davis Lodge in August 2010 and Miller Park Pavilion in September 2010).

Ms. Eisner presented the draft ordinance to allow liquor sales and consumption at Festival Park. Commission Stockton addressed subsection (ii). He believed that the language could be improved. Ms. Eisner would streamline the language to address events sponsored or organized by the City. She stated her goal to place this item on the Council's May 11, 2009 Meeting Agenda. She questioned if the Commission had any concerns and welcomed their feedback.

Ms. Eisner informed the Commission that the Town of Normal had passed a keg ordinance. She encouraged the Council to review same. The City could adopt the same ordinance if it is deemed acceptable. The Town has language regarding no sales after 10:00 p.m. This language could be stricken from the City's ordinance. In addition, the Town included the language from the Adult Responsibility Form within its ordinance. The BNCCC, (Bloomington Normal Community Campus Committee) would provide this form for a limited time. There were no mechanisms for sales from an entity which was located outside of the City's jurisdiction.

Commissioner Stockton noted that under Normal's Ordinance Section 4.21 Subsection B did not list the date of the event. Ms. Eisner added that there would not be notification. Most kegs are purchased the day of the event. A key issue was storage. Commissioner Stockton addressed the educational portion which addressed the importance of dram shop coverage, and the potential for civil and/or criminal liability.

Ms. Eisner noted that the Town's effective date was August 1, 2009. She questioned when this Text Amendment should appear before the Council. She cited the Council's May 11, 2009 meeting as a target date. However, she needed the Commission's feedback.

The Bloomington Liquor Commissioner Steve Stockton called the Violation Hearing for Tjolo's Corp., d/b/a Show Me's Restaurant, located at 517 N. Main, currently holding 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. Present at the hearing were Liquor Commissioners Steve Stockton, Rich Buchanan, Marabeth Clapp, and Steve Petersen; Hannah Eisner, Deputy Corporation Counsel; and Tracey Covert, City Clerk.

Hannah Eisner, Deputy Corporation Counsel, addressed the Commission. She informed them that the License holder had been selling home brew. Show Me's does not hold a "P" Packaged license. The alcohol was also sold in an open container. This would be an additional violation. She also addressed state law which requires that alcohol be sold in its original container.

This was Show Me's second violation. The License holder settled this issue with the City and paid a \$600 fine.

There being no further business the hearing recessed at 6:16 p.m.

Dennis Arnold, 504 N. Lee, addressed the Commission. He questioned who from the City would be responsible for building code inspections. Commissioner Stockton stated that concerns regarding signage and any code violations regarding same would be handled by the City's Sign Inspector. Hannah Eisner, Deputy Corporation Counsel, informed the Commission that the City's Chapter 6. Alcoholic Beverage Code limited a licensed establishment to one (1) lit sign. She questioned if the City had repealed the late night retail sign limitations that were put in place to address security issues. This ordinance only applied to businesses open after 10:00 p.m. She added that paper signs placed in windows were covered under Chapter 3. Advertising.

There being no further business the hearing adjourned at 6:18 p.m.

Respectfully,

Tracey Covert, CRM, CMC, RMC
City Clerk