

Minutes of the Liquor Control Commission

The Liquor Control Commission of the McLean County Board met on Tuesday, June 21, 2005 at 10:00 a.m. in Room 4000, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present:	Chairman Sweeney, Members Bostic, Dean and Hoselton
Members Absent:	None
Staff Present:	Christine Northcutt, Recording Secretary, County Administrator's Office
Department Heads/ Elected Officials:	Mr. Eric Ruud, First Assistant State's Attorney
Others Present:	

Chairman Sweeney called the meeting to order at 10:38 a.m. Chairman Sweeney called for a motion to approve the minutes of the January 18, 2005 Liquor Control Commission Meeting.

Motion by Dean/Hoselton to recommend approval of the Minutes of the January 18, 2005 Liquor Control Commission Meeting. Motion carried.

Chairman Sweeney asked Mr. Eric Ruud, First Assistant State's Attorney to present the first item for action. It is a Hearing on Case Number LV-05-01. Mr. Ruud informed the Commission that on May 4, 2005, the McLean County State's Attorney's Office filed a complaint on behalf of McLean County, Illinois against Michael Holder d/b/a Green Gables. Mr. Ruud stated that Green Gables is one of McLean County's Liquor Licensee's. On or about April 15, 2005 the State Police conducted an undercover operation where underage individuals were sent into small town and County establishments for the purpose of purchasing alcohol. At this particular date and time, an employee of Green Gables, sold a six pack of Miller Lite Beer to the underage individual. This complaint was served on the Defendant, Mr. Holder. Mr. Ruud stated that this is a first offense for the Green Gables establishment. As is customary for a first offense, if the licensee admits to the complaint and stipulates to the facts as stated, a written reprimand is recommended. Mr. Ruud stated Green Gables has stipulated to all facts and that a written reprimand is recommended.

Motion by Dean/Bostic that Green Gables be found guilty as charged and that written reprimand be issued to Michael Holder d/b/a Green Gables for the sale of alcohol to an underage person.

Ms. Bostic asked Mr. Holder if he has a mechanism in place to prevent this from happening again. Mr. Holder stated that they review this law with the employees often. Mr. Hoselton added that he frequents this establishment and happens to know that the employee who sold the alcohol was a new employee and is no longer employed by Green Gables.

Motion carried.

Chairman Sweeney asked Mr. Ruud to present the next item, which is a request for approval of annual Liquor License Renewals for 2005-2006. Mr. Ruud informed the Committee that he has reviewed all of the applications that were filed with the McLean County Clerk and finds that they are all in order and recommends that they all be renewed for an additional year.

Motion by Hoselton/Dean to recommend approval of Renewal of all Annual Liquor Licenses. They are as follows:

1. Danvers Y, Inc.
2. Lake Road Inn
3. Green Gables
4. Hazy Hills Golf Course
5. Mustang Sally's Bar/Bowl
6. Freedom Oil Company
7. Crestwicke County Club
8. Kelly's Merna Bar and Grill
9. LeRoy Country Club
10. ShellMart
11. Indian Springs Recreation
12. Kicks
13. Tri-Lakes Conservation & Recreation Club, Inc.

Motion carried.

Chairman Sweeney stated that the last item is proposed amendments to the Liquor Control Ordinance. Mr. Ruud informed the Committee that for some time there has been discussion on a proposed amendment to the McLean County Liquor Ordinance which would allow "Outdoor Gardens" or "Beer Gardens" in County establishments. Mr. Ruud stated that per the Commission's direction, he has prepared a proposed Amendment to the McLean County Liquor Ordinance which would create a Sub-Class of License (Class G) for those establishments who want to have an outdoor garden. There are several steps that a licensee would have to go through before the "Class G" License could be issued. Mr. Ruud stated that he has met with Mr. Bob Keller, Director, Health Department

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and Mr. Phil Dick, Director, Building and Zoning regarding these issues. In essence, if this is approved, and an establishment wants to apply for a Class G License, they would have to go to the Building and Zoning Office to determine whether a Special Use Permit would be required. Mr. Ruud stated that Mr. Dick had indicated that more likely than not, a Special Use Permit would be required. The applicant would have to attend a Special Use Hearing before the Zoning Board of Appeals. If recommended then the Special Use would have to be approved by the County Board. The next step would be to apply for a Health Department Food Permit. When all of these permits are in place, an application could then be made to the McLean County Liquor Commission for final approval. The application fee is an additional \$500.00 per year. Mr. Hoselton asked how much is a regular Class D License. Mr. Ruud replied that a Class D License is \$1,200.00 per year. The Class D License permits an establishment to serve alcohol and to sell packaged liquor within the premises. Mr. Ruud noted that the Special Use Permit requirement of a Class G License would also cover an establishment if they wanted to have a band in their Outdoor Garden. Mr. Ruud added that this is very similar in cost and procedure to Bloomington and or Normal's "Outdoor Garden" License.

Mr. Dean asked if there are people living in the general vicinity, would a Class G License be issued. Mr. Ruud replied that it may not if it doesn't make it through a Special Use process.

Mr. Hoselton asked if the gas stations would be able to apply for a Class G License. Mr. Ruud replied that they would not be eligible to apply because this option is only available to Class A, B and D Licensee's.

Motion by Hoselton/Bostic to recommend approval
of an Amendment to the McLean County Liquor Control
Ordinance. Motion Carried.

Mr. Ruud informed the Committee that this proposed amendment could go before the County Board in July or August for final approval.

Chairman Sweeney asked if there was any other business or communications. Hearing none, Chairman Sweeney adjourned the meeting at 10:50 a.m.

Respectfully submitted,

Christine Northcutt
Recording Secretary