

MINUTES OF THE SPECIAL MEETING
OF THE LIQUOR CONTROL COMMISSION
VILLAGE OF WHEELING
BOARD ROOM - 2 COMMUNITY BOULEVARD
COOK and LAKE COUNTIES, WHEELING, IL
MONDAY, OCTOBER 5, 2020

1. Call to Order

Chairman Horcher called the Meeting to order at 6:30 p.m.

2. Pledge of Allegiance led by Chairman Horcher

3. Roll Call - Village Clerk Elaine E. Simpson called the roll:

Members present

Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

4. Approval of Minutes

Approval of Minutes for the Special Meeting of June 15, 2020

Motion by Mary Papantos, second by Ray Lang to approve Minutes as presented.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

5. Citizen Concerns and Comments - None

6. New Business

A. Hearing in the Matter of Coffeessions, LLC d/b/a Coffeessions (780 S. Wheeling Road) Docket No 20-01

Clerk Simpson read the hearing title into the record

Village Prosecutor Hy Riebman introduced the item, entered evidence, and stated that Mr. Perez admitted the violation.

Owner Rufino Perez was present and sworn in by the court reporter. Mr Perez made a statement to the Commission, and answered questions from Attorney Ferolo.

Commissioner Papantos asked if Mr. Perez was BASSETT trained, he replied "yes".

Motion by Mary Krueger, second by Mary Papantos.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

B. Hearing in the Matter of Shree Radhe Krishna, Inc. d/b/a Mom & Dad Pantry (11 W. Dundee Road) Docket No 20-02

Clerk Simpson read the hearing title into the record.

Village Prosecutor Hy Riebman introduced the item, entered evidence, and stated that he spoke with Chad Patel (owner's agent), and he's admitted to the charges.

Mr. Patel was sworn in by the court reporter and answered questions from Mr. Riebman and the Commission; Mr. Patel apologized for the incident.

Attorney Ferolo stated and described exhibits 1, 2, and 3, which were entered into evidence.

Motion by Mary Krueger, second by Mary Papantos.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

7. Executive Session

Chairman Horcher asked for a Motion to recess into Executive Session to discuss Consideration of Evidence or Testimony Presented in Open Hearing.

Motion by Dave Vogel, second by Mary Krueger.

Final Resolution: Motion Approved, the meeting recessed at 6:55 p.m.

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

Chairman Horcher asked for a Motion to reconvene the open meeting.

Motion by Mary Krueger, second by Ray Lang.

Final Resolution: Motion Approved, the open meeting reconvened at 7:10 p.m.

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

8. Action on Executive Session Items

Liquor Commission Findings

A. Hearing in the Matter of Coffeessions, LLC d/b/a Coffeessions (780 S. Wheeling Road) Docket No 20-01

After Commission deliberation, Village Attorney Jim Ferolo asked for a Motion to impose penalties as follows:

- \$250 fine
- \$200 for administrative costs
- Within five (5) days, the licensee must supply a list to the Village Clerk the names of the manager, owner, and servers currently employed.
- Within five (5) days, the licensee must provide certificates of BASSETT training for all noted individuals.
- Within five (5) days, the licensee must provide their current written policy for the sale and service of alcoholic beverages to the public.

Motion by Dave Vogel, second by Mary Papantos.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

Attorney Ferolo notified Mr. Perez that an order will be signed by the Chairman of the Liquor Commission and will be delivered to the place of business.

B. Hearing in the Matter of Shree Radhe Krishna, Inc. d/b/a Mom & Dad Pantry (11 W. Dundee Road) Docket No 20-02

Based on Commission deliberation Attorney Ferolo asked for a Motion to impose penalties as follows:

- \$250 fine
- \$200 for administrative costs
- Within five (5) days, the licensee must supply a list to the Village Clerk the names of the manager, owner, and servers currently employed.
- Within five (5) days, the licensee must provide certificates of BASSETT training for all noted individuals.
- Within five (5) days, the licensee must provide their current written policy for the sale and service of alcoholic beverages to the public.

Motion by Mary Krueger, second by Mary Papantos.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel

Chairman Horcher stated that the fines imposed are lower than they typically would be; due to the challenging times the Commission agreed to reduce the amount. Chairman Horcher reminded the owners that a second offense will carry a much steeper fine.

Attorney Ferolo announced that the liquor checks yielded a total of four (4) violations; however, two of the businesses in violation (Market Square and Palamuru Grill) have ceased operations. Attorney Ferolo clarified that under our liquor code, if a business has been closed for a period of sixty (60) consecutive days or more, the liquor license is deemed forfeited and lapsed.

9. Adjournment

Chairperson Horcher asked for a Motion to adjourn.

Motion by Dave Vogel, second by Mary Papantos.

Final Resolution: Motion Approved by voice vote, all Ayes, the meeting adjourned at 7:15 p.m.

Elaine E. Simpson, Village Clerk

Approved this 1st day of March 2021, by the Chairman and Commissioners