

MINUTES OF THE SPECIAL MEETING
OF THE LIQUOR CONTROL COMMISSION
BOARD ROOM - 2 COMMUNITY BOULEVARD
COOK and LAKE COUNTIES, WHEELING, IL
MONDAY, MARCH 6, 2023

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call Led by Village Clerk Kathryn M. Brady

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 February 6, 2023

Motion by Mary Papantos, second by Mary Krueger 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. Consideration of a Request for a Class N-V Liquor License from Avadhesh, Inc. d/b/a Sip and Slots, a Proposed Gaming Establishment at 30 West Dundee Road

Clerk Brady read the title into the record. Petitioner was present and answered a question from the Commission. Manager Sfondilis read the conditions for approval.

Motion to approve conditionally on 1) passage of legislation granting special use approval as applicable, 2) passage of an ordinance authorizing the creation of a new Class N-V liquor license, 3) payment of all applicable fees, and 4) submittal of BASSET certificates for all applicable employees.

Motion by Mary Papantos, second by Mary Krueger.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Joe Vito

No: Jim Ruffatto, Dave Vogel

B. Hearing in the Matter of Cooper's Hawk Wheeling LLC d/b/a Cooper's Hawk Winery & Restaurant (583 N. Milwaukee Avenue) Docket No 23-01

Clerk Brady read the hearing title into the record. Village Attorney James Ferolo stated that there will be three (3) hearings before the Commission which will be held one at a time.

Cooper's Hawk representatives Adam Rowell, General Manager, and Jay Lee, Area Director, were sworn in by the court reporter. Attorney Ferolo presented the evidence. Mr. Rowell pleaded guilty.

Attorney Ferolo asked if they have a written policy regarding the service of liquor, and if the server was BASSET trained. Mr. Rowell answered in the affirmative regarding both questions and stated that all servers and managers were retrained.

C. Hearing in the Matter of Phillip Carpenter Post 66 AMVET Building Corporation d/b/a AMVETS Post 66 (700 McHenry Road) Docket No 23-02

Clerk Brady read the hearing title into the record. Attorney Ferolo presented the evidence. AMVETS Post Commander Ken Neilson, was present and pleaded guilty. Mr. Nielsen confirmed that they have a written policy regarding the service of liquor and that the server was BASSET trained.

D. Hearing in the Matter of Elsa Restaurant Group Wheeling LLC d/b/a Elsa's (735 N. Milwaukee Avenue) Docket No 23-03

Clerk Brady read the hearing title into the record. Yash Mori, part owner, was present and sworn in by the court reporter. Attorney Ferolo reviewed the allegations. Mr. Mori agreed to the presentation of evidence and pleaded guilty.

Attorney Ferolo asked if they have a written policy regarding the sale of alcohol that is disseminated to employees; Mr. Mori stated that they do. Mr. Mori reviewed actions taken after the incident, confirmed that all servers are BASSET trained, and answered a question from the Commission.

7. Executive Session

Chairperson Horcher asked for a Motion to recess to enter Executive Session for the purpose of discussing consideration of evidence or testimony presented in an open hearing.

Motion by Mary Krueger, second by Jim Ruffatto

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Joe Vito, Dave Vogel
Final Resolution: Motion Approved, the meeting recessed at 6:47 pm.

[Reconvene from Executive Session]

Chairperson Horcher asked for a Motion to reconvene into open session.

Motion by Mary Krueger, second by Jim Ruffatto, that the open meeting reconvene.

Motion carried by Roll Call vote; the open meeting reconvened at 7:05 pm

8. Action on Executive Session Items

Liquor Commission Findings

In the Matter of Cooper's Hawk Wheeling LLC d/b/a Cooper's Hawk Winery & Restaurant (583 N. Milwaukee Avenue) Docket No 23-01

Attorney Ferolo asked for a Motion to impose the following penalties: a \$500 fine, administrative costs of \$113.33¢, submission of a list of names of all managers and employees along with proof of BASSET certification, and submission of written policy regarding sale and service of alcohol shall be sent to the Village Clerk. These items are due by March 20, 2023.

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

Final Resolution: Motion Approved
Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto
No: Joe Vito, Dave Vogel

In the Matter of Phillip Carpenter Post 66 AMVET Building Corporation d/b/a AMVETS Post 66 (700 McHenry Road) Docket No 23-02

Attorney Ferolo asked for a Motion to impose the following penalties: a \$500 fine, administrative costs of \$113.33¢, submission of a list of names of all managers and employees along with proof of BASSET certification, and submission of written policy regarding sale and service of alcohol shall be sent to the Village Clerk. These items are due by March 20, 2023.

Motion by Jim Ruffatto, second, by Mary Krueger Lang to approve as stated.

Final Resolution: Motion Approved
Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto
No: Joe Vito, Dave Vogel

In the Matter of Elsa Restaurant Group Wheeling LLC d/b/a Elsa's (735 N. Milwaukee Avenue) Docket No 23-03

Attorney Ferolo asked for a Motion to impose the following penalties: a \$1,500 fine, administrative costs of \$113.33¢, submission of a list of names of all managers and employees along with proof of BASSET certification, and submission of written policy regarding sale and service of alcohol shall be sent to the Village Clerk. These items are due by March 20, 2023. Additionally, the liquor and video gaming licenses for the licensee are to be suspended for the entire day of March 27, 2023.

Motion by Mary Krueger, second, by Mary Papantos Lang to approve as stated.

Final Resolution: Motion Approved
Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto, Dave Vogel
No: Joe Vito

Mr. Ferolo stated that a written order will be sent to the licensees within the next three (3) days.

9. Adjournment

Chairperson Horcher asked for a motion to adjourn.

Motion by Mary Papantos, second by Mary Krueger.

Final Resolution: Motion carried by Voice Vote, all ayes, the meeting adjourned at 7:10pm.

Kathryn M. Brady, Village Clerk

Approved this 17th day of April, 2023, by the Chairperson and Commissioners