

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 4, 2021

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call - Village Clerk Kathryn M. Brady called the roll:

Present: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto

Absent: Joe Vito, Dave Vogel

Commissioners Vito and Vogel are absent with prior notice.

4. Approval of Minutes

Approval of Minutes of the Special Meeting of August 16, 2021

Motion by Mary Papantos, second by Jim Ruffatto to approve Minutes as presented.

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto

Absent: 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 Deep Entertainment, Inc. d/b/a Gia's, a Proposed Video Gaming Café at 1940 South Wolf Road

Motion to approve conditionally on 1) passage of an ordinance by the Board of Trustees authorizing the creation of a new Class N-V liquor license and 2) satisfactory background check results.

Clerk Brady read the title into the record. Assistant Village Manager Michael Crotty introduced the item and read the conditions for approval. There were no questions from the Board.

Motion by Mary Krueger, second by Mary Papantos.

Final Resolution: Motion Approved

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

No: Jim Ruffatto

B. Hearing in the Matter of Bond Drug Company of Illinois, LLC d/b/a Walgreens #04941 (10 N. Milwaukee Avenue) Docket No 21-02

Clerk Brady read the hearing title into the record.

Village Prosecutor Hyman Riebman reviewed the allegations. Seeing that there was no representation from Bond Drug Company at that time, Attorney Ferolo continued the item until after the next hearing.

C. Hearing in the Matter of Elsa Restaurant Group Wheeling LLC d/b/a Elsa's (735 N. Milwaukee Avenue) Docket No 21-03

Clerk Brady read the hearing title into the record. Yash Mori, part owner, was present and sworn in by the court reporter. Village Prosecutor Hyman Riebman reviewed the allegations. Mr. Mori agreed to the presentation of evidence.

Village Attorney James 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.

Bond Drug Company of Illinois, LLC d/b/a Walgreens

Seeing that no representative from Bond Drug Company was present. Chairman Horcher asked for Board Consensus to continue the matter.

Final Resolution: Consensus Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto

Absent: Joe Vito, Dave Vogel

Motion by Jim Ruffatto, second by Ray Lang to continue the matter to a subsequent Commission meeting.

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto

Absent: Joe Vito, Dave Vogel

Final Resolution: Motion Approved

7. Executive Session

Chairman Horcher asked for a Motion to recess to enter Executive Session for the purpose of discussing Consideration of Evidence or Testimony Presented in Open Hearing.

Motion by Jim Ruffatto, second by Mary Papantos, that the open meeting recess to enter Executive Session.

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto

Absent: Joe Vito, Dave Vogel

Final Resolution: Motion Approved, the meeting recessed at 6:47 p.m.

[Reconvene from Executive Session]

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

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

Motion carried by Roll Call vote, the open meeting reconvened at 6:56 p.m.

8. Action on Executive Session Items

Liquor Commission Findings

~~**In the Matter of Bond Drug Company of Illinois, LLC d/b/a Walgreens #04941 (10 N. Milwaukee Avenue) Docket No 21-02**~~ [this item was continued]

In the Matter of Elsa Restaurant Group Wheeling LLC d/b/a Elsa's (735 N. Milwaukee Avenue) Docket No 21-03

Village Attorney James Ferolo asked for a Motion to impose the following penalties: a \$250 fine, plus the cost of court reporter, submission of proof of BASSET certification for all managers and employees and submission of written policy regarding sale and service of alcohol shall be sent to the Village Clerk. An order will be drafted pending the motion which will set forth the dates by which these items are due.

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

Final Resolution: Motion Approved

Yes: Pat Horcher, Mary Krueger, Ray Lang, Mary Papantos, Jim Ruffatto

Absent: Joe Vito, Dave Vogel

9. Adjournment

Chairperson Horcher asked for a Motion to adjourn.

Motion by Jim Ruffatto, second by Ray Lang.

Final Resolution: Motion Approved by Voice Vote, all ayes, the meeting adjourned at 6:58 p.m.

Kathryn M. Brady, Village Clerk

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