

**PUBLIC MEETING NOTICE AND AGENDA
VILLAGE OF HUNTLEY
LIQUOR COMMISSION HEARING**

**THURSDAY, JANUARY 12, 2017
7:00 P.M.**



1. Call to Order
2. Public Comments
3. Items for Consideration
 - a) Approval of Minutes: December 15, 2016 Liquor Commission
 - b) Complaint – Bowl-Hi Lanes / 10520 Route 47
 - c) Complaint – American Drug Stores LLC d/b/a Osco Drug #3394 / 13200 Village Green
 - d) Complaint – Walmart Supercenter / 12300 Route 47
4. Executive Session
5. Possible Action on Any Closed Session Item
6. Other Business
7. Adjournment

**MEETING LOCATION
10987 Main Street
Huntley, IL 60142**

The Village of Huntley is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, are requested to contact Mr. David Johnson, Village Manager at 847-515-5200. The Village Board Room is handicap accessible.


David J. Johnson, Village Manager

Agenda Item: **Approval of the December 15, 2016 Liquor Commission
Hearing Minutes**

Department: **Village Manager's Office**



Introduction

The following meeting minutes are being presented for Liquor Commission approval:

- December 15, 2016 Liquor Commission

Action Requested

A motion of the Village Board to approve the December 15, 2016 Liquor Commission Hearing Minutes.

VILLAGE OF HUNTLEY
LIQUOR COMMISSION HEARING
December 15, 2016
MINUTES

CALL TO ORDER:

A meeting of the Huntley Liquor Commission was called to order on Thursday, December 15, 2016 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main Street, Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Chairman Charles Sass; Commissioners: Tim Hoeft, Niko Kanakaris, Harry Leopold, John Piwko and JR Westberg.

ABSENT: Commissioner Ronda Goldman

IN ATTENDANCE: Village Manager David Johnson, Assistant Village Manager Lisa Armour, Management Assistant Barbara Read and Village Attorney John Cowlin.

PUBLIC COMMENTS: None

ITEMS FOR CONSIDERATION:

- A. Consideration of an Ordinance Approving the Annual Approval and Issuance of 2017 Liquor Licenses – Village of Huntley Code of Ordinances Section 110.24

Chairman Sass reported that renewal packets were distributed to current liquor license holders in November. The application deadline was Friday, November 18, 2016. As part of the renewal application the following items are required to be submitted:

- Signed and notarized Application with Affidavit
- Payment of \$950 for all classes
- Certificate of Insurance including Best Policy Rating
- Surety Bond
- Applicant Profile Information
- Registered Agent Profile Information
- State Liquor License
- Current Lease / Deed
- Current Articles of Incorporation
- BASSET training information for employees
- Video Gaming application and payment, if applicable
- Outside event information, if applicable
- Tasting information, if applicable

Staff Analysis

All renewal applications received are in substantial compliance with Village Code. Included is a list of Temporary Use Permit and outside on-premises requests for banners throughout the year as well as a request to utilize Village-owned property for an outside event (TTF) by Parkside Pub. The TTF event is subject to the approved License Agreement between the Village and the Parkside property owner.

The agreement was entered into as a condition of the property purchase in 2014.

If approved by the Liquor Commission as part of the renewal process, the Village Board will not need to review the TUP's on an individual basis as the events occur. A sign permit will still be required to install the banners prior to the requested event.

Below is a list of the applicants along with the class designation and class description.

Applicant	Class	Description
1. Bricks & Ivy LLC d/b/a Parkside Pub 2. Brunch Cafe 3. Jameson's Huntley (Del Webb Restaurant) 4. Lucky Bernie's 5. Sal's Pizzeria 6. Offie's Tap 7. Pub 47 8. Sammy's 9. Soula's Village Inn 10. Starbucks 11. Tacos Locos 12. Tee 2 Green Indoor Golf LLC 13. Triple K & B; d/b/a Rookies 3 14. Millie's, LLC	A	Retail sale on premises. Consumption on premises. Retail sale and take-out of alcoholic liquor in the original package.
15. Jameson's Huntley (Del Webb banquet facility)	B	Retail sale in restaurants/banquet rooms. Only at tables in conjunction with meals.
16. Huntley American Legion Post 673, Inc.	C	Retail sale for consumption on premises to an organized club. Retail sale and take-out of alcoholic liquor in the original package.
17. Aldi 18. Best Price Tobacco & Gifts 19. American Drug Store d/b/a Osco #3394 20. Huntley Beverage Corp / Armanetti's 21. Huntley Food & Liquor 22. Walgreens / Princeton Drive 23. Walgreens / Reed Road 24. Walmart	D	Retail sale in sealed packages. Not for consumption on premises sold. Sampling/tasting events on licensed premises subject to specific regulations.
25. Kemper Sports Management / Pinecrest 26. Whisper Creek Golf Club	F	Retail sale on premises. For country clubs only.
27. Bowl-Hi Lanes	G	Retail sale on premises. Consumption on premises. Retail sale and take-out of alcoholic liquor in the original package.

Class “D” Sampling Requests

- Huntley Beverage Corporation / Armanetti’s Wine & Liquor requests sampling every Friday from 4:00 pm – 8:00 pm and every Saturday from 11:00 am – 8:00 pm.
- American Drug Store LLC d/b/a Osco Drug #3394 requests sampling every Friday through Sunday from 11:00am – 4:00pm

Temporary Use / Outside On-Premise Event Requests

Below are the requested outside on-premise outside / temporary use events for 2017:

Huntley Legion

- Horseshoes in the parking lot on Thursday nights; May through October
- Vet Fest – June 24, 2017 on Coral Street. *Details will be included in the 2017 summer event schedule presented at a later date.*

Parkside Pub

- Outside eating in the beer garden area May – October
- Two (2) additional festivals per agreement with the Village *Dates to be determined*
- Turkey Testicle Festival (TTF) November 22, 2017 – 11:00 am.
- Outdoor seating April 1st – October 31st

Rookies

- Vintage car show in parking lot; Thursday nights – June through September

Sammy’s

- Outside events scheduled for May, July and October *Dates to be determined.*

Condition of approval for temporary use banners:

1. A sign permit must be obtained from the Development Services Department prior to the installation of the banner for the specified event.

Outside Restaurant / Café Seating

Parkside has submitted an application and payment for outdoor seating for the summer; however will need to provide an executed license agreement, site plan and insurance prior to adding the outdoor seating. A furniture exhibit was provided for review.

Video Gaming

The following establishments, which have been approved for video gaming, have also submitted their information and payment for 2017.

1. Bowl Hi / 5 machines
2. Huntley American Legion Home / 5 machines
3. Offie’s Tap / 5 machines
4. Parkside / 3 machines
5. Pub 47 / 5 machines
6. Rookies / 4 machines
7. Sal’s Pizza / 3 machines
8. Sammy’s / 5 machines
9. Soula’s Village Inn / 5 machines

10. Tee 2 Green / 3 machines

Millie's, LLC and Lucky Bernie's have submitted the gaming application in anticipation of opening soon. Millie's has been approved by the State for gaming; however, Lucky Bernie's has not yet submitted their paperwork to the State for approval.

Conditions of approval for renewed liquor licenses would include the following:

Kemper Sports Management:

Receipt of satisfied fingerprinting report

Lucky Bernie's:

Certificate of Occupancy (*Pursuant to the Village of Huntley Liquor Code, liquor licenses will not be activated without a certificate of occupancy for the establishment requesting the license.*)

Millie's LLC:

Certificate of Occupancy (*Pursuant to the Village of Huntley Liquor Code, liquor licenses will not be activated without a certificate of occupancy for the establishment requesting the license.*)

Parkside – to allow for outside seating:

Execution of license agreement

Submittal of additional certificate of insurance

Submittal of a site plan to be submitted to the Liquor Commission for final approval

Financial Impact

Payments for the Liquor License fees in the amount of \$950 per license and Video Gaming fees of \$25 per machine have been deposited in the appropriate revenue line item in the General Fund.

Legal Analysis

Section 110 of the Village Code of Ordinances regulates liquor sale in the Village. The applications have been reviewed and are in compliance with Section 110: Alcoholic Beverages requirements.

Chairman Sass asked if the Commission had any comments or questions.

Commissioner Piwko asked if there were any permanent fixtures within the 11 feet of sidewalk in front of Parkside Pub. Village Manager Johnson reported that there was a light fixture and tree grate.

There were no other comments or questions.

A MOTION was made to approve an Ordinance for the Approval and Issuance of 2016 Liquor Licenses – Village of Huntley Code of Ordinances Section 110.24 with conditions of approval as referenced above.

MOTION: Commissioner Leopold

SECOND: Commissioner Kanakaris

AYES: Commissioners: Hoeft, Kanakaris, Leopold and Piwko

NAYS: None

ABSENT: Commissioner Goldman

ABSTAIN: Commissioner Westberg

The Motion Carried: 4-0-1-1

EXECUTIVE SESSION: None

POSSIBLE ACTION ON ANY CLOSED SESSION ITEMS: None

OTHER BUSINESS: None.

ADJOURNMENT:

There being no further business to discuss, a MOTION was made to adjourn the hearing at 7:01 p.m.

MOTION: Commissioner Piwko

SECOND: Commissioner Kanakaris

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary

DRAFT

Agenda Item: **Complaint – Bowl-Hi Lanes / 10520 Route 47**
 Complaint – American Drug Stores LLC d/b/a Osco Drug #3394 /
 13200 Village Green
 Complaint – Walmart Supercenter / 12300 Route 47

Department: **Police Department**

Introduction

On December 19, 2016, the Police Department conducted an alcohol compliance check of all liquor license retailers within the Village of Huntley. Approximately thirty days prior to the compliance check, a letter was sent to all licensed liquor establishments informing them of the upcoming compliance check. A nineteen year old was used to conduct these checks, given instruction on the proper procedures and accompanied by a Police Detective.

Bowl-Hi Lanes

On December 19, 2016, the nineteen year old entered Bowl-Hi Lanes, ordered and received a bottle of Miller Lite from the bartender. The Detective then approached the bartender and issued a violation for Section 110.12(A) Sales to a Minor.

American Drug Stores LLC / Osco Drug #3394 (Jewel)

On December 19, 2016, the nineteen year old entered Jewel and purchased a 12 pack of Miller Lite from the sales clerk. The Detective then approached the sales clerk and issued a violation for Section 110.12(A) Sales to a Minor.

Walmart Supercenter (Walmart)

On December 19, 2016, the nineteen year old entered Walmart, purchased a six pack of Miller Lite from the sales clerk. The Detective then approached the sales clerk and issued a violation for Section 110.12(A) Sales to a Minor.

Section 110.12(a) *It shall be unlawful for any person under the age of 21 years to purchase or obtain alcoholic liquor in any tavern or any place in the Village where alcoholic liquor is sold.*

Staff Analysis

A Notice of Hearing has been delivered to Bowl Hi Lanes, Jewel, and Walmart to appear before the Huntley Liquor Commission. Pursuant to the Village of Huntley Liquor Control Ordinance the penalty provisions are as follows:

Section 110.52 (c) *The sale of alcoholic liquor to minors or to other persons to whom the sale is prohibited by this chapter shall be cause for suspension of any license hereunder for not less than five days or for revocation hereunder as may be determined by the President and Board of Trustees of the Village.*

Section 110.99 Penalty

- (a) *Any person, firm or corporation violating the provisions of this chapter shall be fined not less than \$25 nor more than \$1,000 for each offense. A separate offense shall be deemed committed on each day during which a violation occurs or continues.*
- (b) *In addition to the foregoing penalty any person, firm or corporation violating the provisions*

of this chapter may suffer the penalty of having his license revoked for any such violation. The revocation shall be signed by the Chairman of the Liquor Control Commission.

A review of liquor files disclosed no previous violation for Bowl Hi or Walmart. Jewel had a previous violation in November 2007.

Legal Analysis

The Village Attorney has reviewed the complaint documents and all is in order for consideration by the Liquor Commission.

Action Requested

Action is requested of the Liquor Commission on the complaints filed for:

- a) Bowl Hi Lanes / 10520 Route 47
- b) American Drug Stores LLC d/b/a Osco Drug #3394 / 13200 Village Green
- c) Walmart Supercenter / 12300 Route 47

Exhibits

- Complaint & Notice – Bowl HI Lanes / 10520 Route 47
- Complaint & Notice – American Drug Stores LLC d/b/a Osco Drug #3394 / 13200 Village Green
- Complaint & Notice – Walmart Supercenter / 12300 Route 47
- Liquor Violation History Spreadsheet

COPY
COPY

**Liquor Control Commission
Village of Huntley
McHenry County, Illinois**

COMPLAINT

Detective Kallantzes (hereinafter called "COMPLAINANT"), being sworn on oath, states as follows:

On December 19, 2016, at approximately 1810 hours, Bowl-Hi Lanes, located at 10520 Route 47 Huntley, IL, 60142 (hereinafter called the "RESPONDENT"), committed a violation of 110.12(A) of the Code of Ordinances of the Village of Huntley and 235 I.L.C.S. 5/16-16 of the Illinois Liquor Control Act in that, Meghan Currie, an employee and agent of RESPONDENT sold one bottle of Miller Lite, an alcoholic liquor, to an individual under the age of twenty-one years and did so after looking at identification identifying the individual as being born in 1997, making the individual 19 years of age. COMPLAINANT, therefore, requests that due notice be served upon the RESPONDENT and that a hearing be held in accordance with the Code of Ordinances of the Village of Huntley, McHenry County and in accordance with the laws of the State of Illinois.



Detective Theo Kallantzes

SUBSCRIBED and SWORN to before
me this 21st day of December, 2016



NOTARY PUBLIC



LIQUOR CONTROL COMMISSION
VILLAGE OF HUNTLEY
MCHENRY and KANE COUNTIES, ILLINOIS

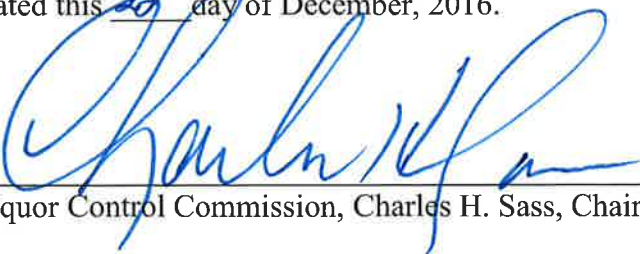
TO: Bowl-Hi Lanes
c/o Don Zielinski

NOTICE OF HEARING

WHEREAS, a Complaint has been filed with the Local Liquor Control Commission of the Village of Huntley, McHenry County, Illinois, alleging the sale of an alcoholic liquor to a minor, having been committed upon a business licensed to you and commonly known at Bowl-hi Lanes; 10520 Route 47 Huntley, IL, 60142, with said charge alleging a violation of Chapter 110.12(A) of the Liquor Control Ordinances of the Village of Huntley and of certain provisions of the State of Illinois Liquor Control Commission:

YOU ARE HEREBY NOTIFIED that a hearing on this Complaint will be held on the 12th day of January, 2017 at the hour of 7:00 p.m., in the Board Room of the Village of Huntley, Municipal Complex, 10987 Main Street; Huntley, Illinois, before the Liquor Control Commission of the Village to determine whether your license to sell alcoholic liquor under the Code of Ordinances of the Village of Huntley and the laws of the State of Illinois should be revoked, suspended or whether some other penalty, including, but not limited to a fine should be imposed. At which time you may appear if you see fit.

Dated this 20th day of December, 2016.



Liquor Control Commission, Charles H. Sass, Chairman

LIQUOR CONTROL COMMISSION
VILLAGE OF HUNTLEY
MCHENRY and KANE COUNTIES, ILLINOIS

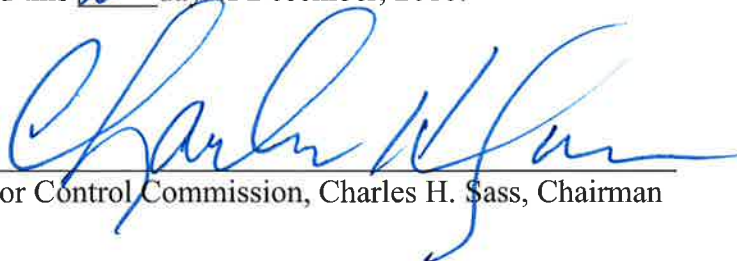
TO: Jewel-Osco #3394
c/o Store Manager

NOTICE OF HEARING

WHEREAS, a Complaint has been filed with the Local Liquor Control Commission of the Village of Huntley, McHenry County, Illinois, alleging the sale of an alcoholic liquor to a minor, having been committed upon a business licensed to you and commonly known at Jewel-Osco #3394, 13200 Village Green Dr. Huntley, IL, 60142, with said charge alleging a violation of Chapter 110.12(A) of the Liquor Control Ordinances of the Village of Huntley and of certain provisions of the State of Illinois Liquor Control Commission:

YOU ARE HEREBY NOTIFIED that a hearing on this Complaint will be held on the 12th day of January, 2017 at the hour of 7:00 p.m., in the Board Room of the Village of Huntley, Municipal Complex, 10987 Main Street; Huntley, Illinois, before the Liquor Control Commission of the Village to determine whether your license to sell alcoholic liquor under the Code of Ordinances of the Village of Huntley and the laws of the State of Illinois should be revoked, suspended or whether some other penalty, including, but not limited to a fine should be imposed. At which time you may appear if you see fit.

Dated this 22nd day of December, 2016.


Liquor Control Commission, Charles H. Sass, Chairman

COPY

**Liquor Control Commission
Village of Huntley
McHenry County, Illinois**

COMPLAINT

Detective Kallantzes (hereinafter called "COMPLAINANT"), being sworn on oath, states as follows:

On December 19, 2016, at approximately 1651 hours, Jewel-Osco #3394, located at 13200 Village Green Dr. Huntley, IL, 60142 (hereinafter called the "RESPONDENT"), committed a violation of 110.12(A) of the Code of Ordinances of the Village of Huntley and 235 I.L.C.S. 5/16-16 of the Illinois Liquor Control Act in that, Brenda Gleason, an employee and agent of RESPONDENT sold one (12) pack cans of Miller Lite, an alcoholic liquor, to an individual under the age of twenty-one years and did so after looking at identification identifying the individual as being born in 1997, making the individual 19 years of age. COMPLAINANT, therefore, requests that due notice be served upon the RESPONDENT and that a hearing be held in accordance with the Code of Ordinances of the Village of Huntley, McHenry County and in accordance with the laws of the State of Illinois.

TK #360
Detective Theo Kallantzes

SUBSCRIBED and SWORN to before
me this 21st day of December, 2016

L. Hooten #353

NOTARY PUBLIC



**Liquor Control Commission
Village of Huntley
McHenry County, Illinois**

ORIGINAL
COPY

COMPLAINT

Detective Kallantzes (hereinafter called "COMPLAINANT"), being sworn on oath, states as follows:

On December 19, 2016, at approximately 1719 hours, Walmart Supercenter #4641 located at 12300 Route 47 Huntley, IL, 60142 (hereinafter called the "RESPONDENT"), committed a violation of 110.12(A) of the Code of Ordinances of the Village of Huntley and 235 I.L.C.S. 5/16-16 of the Illinois Liquor Control Act in that, Robert Biedron, an employee and agent of RESPONDENT sold one (6) pack cans of Miller Lite, an alcoholic liquor, to an individual under the age of twenty-one years and did so after looking at identification identifying the individual as being born in 1997, making the individual 19 years of age. COMPLAINANT, therefore, requests that due notice be served upon the RESPONDENT and that a hearing be held in accordance with the Code of Ordinances of the Village of Huntley, McHenry County and in accordance with the laws of the State of Illinois.

 #360

Detective Theo Kallantzes

SUBSCRIBED and SWORN to before
me this 21st day of December, 2016



NOTARY PUBLIC



LIQUOR CONTROL COMMISSION
VILLAGE OF HUNTLEY
MCHENRY and KANE COUNTIES, ILLINOIS


TO: Walmart Supercenter #4641
c/o Dominic Gallo

NOTICE OF HEARING

WHEREAS, a Complaint has been filed with the Local Liquor Control Commission of the Village of Huntley, McHenry County, Illinois, alleging the sale of an alcoholic liquor to a minor, having been committed upon a business licensed to you and commonly known at Walmart Supercenter #4641, 12300 Route 47 Huntley, IL, 60142, with said charge alleging a violation of Chapter 110.12(A) of the Liquor Control Ordinances of the Village of Huntley and of certain provisions of the State of Illinois Liquor Control Commission:

YOU ARE HEREBY NOTIFIED that a hearing on this Complaint will be held on the 12th day of January, 2017 at the hour of 7:00 p.m., in the Board Room of the Village of Huntley, Municipal Complex, 10987 Main Street; Huntley, Illinois, before the Liquor Control Commission of the Village to determine whether your license to sell alcoholic liquor under the Code of Ordinances of the Village of Huntley and the laws of the State of Illinois should be revoked, suspended or whether some other penalty, including, but not limited to a fine should be imposed. At which time you may appear if you see fit.

Dated this 22nd day of December, 2016.



Liquor Control Commission, Charles H. Sass, Chairman

Liquor Violations									
Date	Establishment	Violation	Fines	Suspensions	Establishments can remain open but no sale of alcohol is allowed				
10.18.01	Parkside Food & Spirits	serving a minor	\$400	5 days					
	Kelly's Huntley Pub & Pizzeria	serving a minor	\$400	5 days					
	Huntley Supermarket	serving a minor	\$400	5 days					
	Armanetti's Wine & Liquor*	serving a minor	\$800	10 days					
	Del Toro's Mexican American Grill	serving a minor	\$400	5 days					
	*Second offense		Fines are due within 14 days						
08.22.02	Parkside Tap	gambling	\$1,000	no suspension					
			Fine due within 7 days						
10.24.02	Eagle Inn	serving a minor	\$400	5 days					
	Walleye Grill / Del Webb	serving a minor	\$500**	5 days					
			Fines due within 7 days						
			**Add'l \$100 due to a request for deferral of suspension						
01.17.08	Jewel Food	serving a minor	\$400	5 days					
	Soula's Village Inn	serving a minor	\$400	5 days					
	Parkside Tap	Multiple violations	requested a hearing -						
	1. With Respect to the charge that Respondent violated Section 110.07 of the Village of Huntley Liquor Control Ordinance, Respondent is found guilty.								
	2. With respect to the charge that Respondent violated Section 110.12(A) of the Village of Huntley Liquor Control Ordinance, Respondent is found not guilty.								
	3. With respect to the charge that Respondent violated Section 110.12(A)(1) of the Village of Huntley Liquor Control Ordinance, Respondent is found guilty.								
	4. With respect to the charge that Respondent violated Section 110.13 of the Village of Huntley Liquor Control Ordinance, Respondent is found not guilty.								
	5. With regard to the violation of Section 110.07, Respondent is fined \$1,000.00.								
	6. With regard to the violation of Section 110.12(A)(1), Respondent is fined \$1,000.00.								
	7. The fines assessed pursuant to the terms of this Order must be paid to the Village of Huntley on or before March 12, 2008 at 5:00 p.m.								
03.27.08	Huntley Food & Liquor	serving a minor (4 counts)	\$3,200	20 days					
02.05.09	Niko's Grill and Pub	serving a minor	\$500	5 days					
12.17.13	Huntley Food & Liquor (new owner)	serving a minor	\$400	5 days					
12.10.14	Best Price Tobacco and Gifts	serving a minor	\$400	5 days					
12.10.14	Tee 2 Green Indoor Golf LLC	serving a minor	\$400	5 days					
12.19.16	Bowl-Hi Lanes	serving a minor							
12.19.16	Jewel	serving a minor							
12.19.16	Walmart	serving a minor							