

**VILLAGE OF HUNTLEY
LIQUOR COMMISSION HEARING
July 23, 2020
MEETING MINUTES**

CALL TO ORDER:

A meeting of the Huntley Liquor Commission was called to order on Thursday, July 23, 2020 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main Street, Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Chairman Charles H. Sass; Commissioners: Ronda Goldman, Timothy Hoeft, Harry Leopold, John Piwko, and JR Westberg.

ABSENT: Commissioners: Niko Kanakaris

IN ATTENDANCE: Interim Village Manager Lisa Armour, Management Assistant Barbara Read, Director of Development Services Charles Nordman, Director of Finance Cathy Haley, Director of Public Works and Engineering Timothy Farrell, and Village Attorney John Cowlin.

PUBLIC COMMENTS: None

ITEMS FOR CONSIDERATION:

- A. Consideration – An Ordinance Approving the Issuance of a Class “D” Liquor License to Route 47 Liquors; 10876 Route 47

Chairman Sass reported that the Village regulates the sale of alcoholic beverages through its Liquor Control Ordinance, which provides for the issuance of certain classes of liquor licenses and establishes the number of licenses available in each class.

Staff Analysis

The Village is in receipt of an application for a Class “D” liquor license from Mr. Ricky Patel and Mrs. Hema Patel, owners of Route 47 Liquors to open a retail liquor store. Route 47 Liquors will go into the unit recently vacated by the Route 47 Smoke Shop at the Huntley Towers retail center. The Route 47 Smoke Shop closed and moved out of the Village, thus causing their Class “B” Tobacco Store license to be null and void and making the unit available. The size of the unit is approximately 1,500 square feet. The Patels own and operate two other liquor stores in Hanover Park and Hoffman Estates. A Class “D” liquor license is being requested as well as a Class “A” Accessory Use Tobacco license which appears separately on the Village Board agenda for consideration.

The Class “D” license shall permit the retail sale of alcoholic liquor in sealed packages but not for consumption on the premises where sold, except for sampling/tasting events on the licensed premises. The petitioner is not planning on samplings at this time due to Covid-19 restrictions but may incorporate it at a later date.

A site plan is included and the petitioners have met with Development Services Department Staff to discuss building plan review and signage to ensure that all is in compliance with all applicable building code requirements.

As part of the application process, the following items are required to be submitted:

- Signed and notarized Application with Affidavit *(Submitted)*
- Payment of \$1,500 *(Submitted)*
- Applicant Profile Information *(Submitted)*
- Registered Agent Profile Information *(Submitted)*
- Current Articles of Incorporation *(Submitted)*
- Economic Interest Disclosure Form *(Submitted)*
- Current Lease / Deed *(Submitted)*
- Certificate of Insurance including Best Policy Rating *(Not Submitted)*
- Surety Bond *(Not Submitted)*
- State Liquor License *(Not Submitted)*
- BASSET training information for employees *(Owners have submitted their BASSET cards. New employees for the Huntley location need to be submitted within 90 days)*

All required documents have not yet been submitted which is not uncommon for a unit under construction. The Liquor Commission can approve, and has done so in the past, a Class “D” liquor license with the conditions of approval being that all applicable documents including a certified copy (proof) of their State Liquor License be provided before the Village’s liquor license becomes effective. The applicant has no more than 120 days to establish the liquor sales at the business or the Commission’s approval is null and void.

Financial Impact

The annual fee of \$1,500 for the liquor license has been received and deposited to the Liquor License revenue line item 100-00-00-4320.

Legal Analysis

Section 110 of the Village Code of Ordinances regulates liquor sales in the Village. The application has been reviewed and is in substantial compliance with Section 110: Alcoholic Beverages requirements.

Chairman Sass reported that the petitioners were in attendance to answer questions.

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

Commissioner Westberg reported that their other location had an infraction in 2019 and asked the petitioner for a response. Mr. Ricky Patel stated that this was a poor hire in 2019 and since then they purchased a new POS system and have provided more training for their employees. Mr. Patel stated that this was the first infraction in 20 years the family has been in business.

Commissioner Piwko stated that he understands that they own the business and noted that there is not a lot of parking at this location.

Chairman Sass stated that the business will suffer if people cannot find parking.

Mr. Patel stated that they are working on making the business work as smooth as possible including the availability of pre-ordering on line for curbside delivery. Trustee Leopold asked how identification is checked if ordering on-line. Mr. Patel explained that the ID is also checked when the items are picked up.

There were no other comments or questions.

A MOTION was made to approve an Ordinance Approving the Issuance of a Class “D” Liquor License to Route 47 Liquors; 10876 Route 47 subject to the following conditions of approval:

- 1. Approval of an Ordinance amending the Village of Huntley Code of Ordinance adding one Class “D” license.**
- 2. Petitioner must show proof of the State of Illinois Liquor License before the Village of Huntley Class “D” Liquor License becomes effective.**
- 3. All applicable insurance documents must be submitted as required.**
- 4. No alcoholic beverages may be served prior to the completion of the remodel and issuance of the certificate of occupancy.**
- 5. Completion of the remodel and liquor sales established no later than 120 days of this approval or the Commission’s approval is null and void.**

MOTION: Commissioner Leopold

SECOND: Commissioner Goldman

AYES: Commissioners: Goldman, Hoeft, Leopold, and Westberg

NAYS: Commissioner: Piwko

ABSENT: Commissioners: Kanakaris

The Motion Carried: 4-1-1

- B. Consideration – An Ordinance Amending the Huntley Code of Ordinances – Business Regulations, Alcoholic Beverages Chapter 110 Section 110.24 – Limitation on Licenses – Adding one Class “D” License – Liquor Control Ordinance

Chairman Sass reported that the Village of Huntley regulates the sale of alcoholic beverages in the Village through its Liquor Control Ordinance, which provides for the issuance of certain classes of liquor licenses and establishes the number of licenses available in each class.

Staff Analysis

Consideration is being requested to amend the Liquor Control Ordinance to make available 9 Class “D” licenses instead of 8 in order to provide for the application from Route 47 Liquors; 10876 Route 47. The application has been reviewed by Staff and all is in order for consideration.

The Class “D” license shall permit the retail sale of alcoholic liquor in sealed packages but not for consumption on the premises where sold. Listed below are the current licensed establishments with a Class “D” license:

1. Aldi
2. Armanetti's
3. Best Price Tobacco & Gifts
4. Huntley Food & Liquor
5. Jewel /Osco
6. Walgreens; Princeton Drive
7. Walgreens; Reed Road
8. Walmart

Financial Impact

The fee for a yearly Class "D" License is \$1,500.00.

Legal Analysis

Section 110.24 of the Village Code of Ordinances limits the number of available licenses in each class. There is no available Class "D" license; therefore, if the Liquor Commission elects to issue a license to Route 47 Liquors, the Commission must create one additional Class "D" license.

Chairman Sass asked if the Liquor Commission had any comments or questions; there were none.

A MOTION was made to approve an Ordinance Amending the Huntley Code of Ordinances – Business Regulations, Alcoholic Beverages, Chapter 110, Section 110.24 – Limitation on Licenses, Adding 1 Class "D" License – Liquor Control Ordinance.

MOTION: Commissioner Leopold

SECOND: Commissioner Westberg

AYES: Commissioners: Goldman, Hoeft, Leopold, and Westberg

NAYS: Commissioner: Piwko

ABSENT: Commissioners: Kanakaris

The Motion Carried: 4-1-1

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 7:07 p.m.

MOTION: Commissioner Piwko

SECOND: Commissioner Hoeft

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary