

June 8, 2023

7:00 p.m. In-Person & Virtual

Wheaton City Hall Council Chambers

The meeting will also be live streamed and recorded.

Join by phone: (312) 626-6799, Meeting ID: 881 6999 7609 Passcode: 440484

- You will be automatically muted. If you would like to speak, you need to press *9 to raise your hand and let the meeting administrator know you would like to speak. Once it is your turn to speak, you will receive a notification asking you to press *6 to unmute yourself. Please announce your name and address before commenting and ensure that you are in a quiet place.

Join Zoom Meeting <https://us02web.zoom.us/j/88169997609> ;

Meeting ID: 881 6999 7609

Passcode: 440484

You will be automatically muted. If you would like to speak, click on the "Raise Hand" button to let the meeting administrator know you would like to speak. When it is your turn to speak, you will receive a notification that the meeting administrator is asking you to press "unmute." Please announce your name and address before commenting and ensure you are in a quiet place.

Public comments can be made by:

- In-person at 7:00 p.m. on Thursday, June 8, 2023, during the Public Comment portion of each Public Hearing.
- Virtually at 7:00 p.m. on Thursday, June 8, 2023, during the Public Comment portion of each Public Hearing.
- Email the Local Liquor Control Commission at jkozik@wheaton.il.us before 12:00 p.m. on Thursday, June 8, 2023.

1. Call To Order And Roll Call
2. Public Comment
3. Approval Of Minutes

3.1. May 11, 2023

Documents:

[MAY 11, 2023.PDF](#)

4. Old Business
5. New Business

5.1. Application For An Outdoor Special Event Liquor License - Downtown Wheaton Association – Summer Wine Walk

Documents:

[DWA SUMMER WINE WALK.PDF](#)

5.1.i. Liquor Code Amendment – Proposed Liquor License Classification - Class Z Liquor License – Private Pickleball Club - Application For A Class Z License – Pickled -288 E. Geneva Road

Documents:

[CLASS Z LICENSE CLASSIFICATION - APPLICATION FOR A CLASS Z PICKLD.PDF](#)

6. Adjournment



WHEATON LOCAL LIQUOR CONTROL COMMISSION MEETING MINUTES

WHEATON CITY HALL, 303 W WESLEY STREET, WHEATON, ILLINOIS 60187

May 11, 2023

I. CALL TO ORDER AND ROLL CALL VOTE

Chair Pearse called the May 11, 2023 meeting of the Local Liquor Control Commission to order at 7:00 P.M. in the City Council Chambers of the Wheaton City Hall, 303 West Wesley Street.

Upon roll call, the following were present: Commissioner Brown, Chair Pearse, Commissioner Taylor and Commissioner Whitmer. Absent: Commissioner Sender. City Staff Present: James P. Kozik, Director of Planning and Economic Development.

II. PUBLIC COMMENT

There was no public comment.

III. APPROVAL OF MINUTES – April 13, 2023

Commissioner Brown moved and Commissioner Taylor seconded a motion to approved the minutes of the April 13, 2023 Local Liquor Control Commission meeting as submitted. On a voice vote, all voted aye.

IV. NEW BUSINESS

Application for a Class S Liquor License – BCA Investment Inc. d/b/a Sunny's Food Mart – 326 W. Liberty Drive

Mr. Amjad Chaudhri, owner of BCA Investment Inc. d/b/a Sunny's Food Mart, was in attendance to present an application for a Class S Liquor License to the City for a new convenience store to be located at 326 W. Liberty Drive. Mr. Chaudhri stated that 7-11, which previously had a Class S Liquor License for a convenience store at that location, recently closed.

Mr. Chaudhri described his past experience as a 7-11 operator and his experience regarding the responsible sale of alcohol to the Commission.

Hearing no questions or comments, Commissioner Taylor moved and Commissioner Whitmer seconded a motion to recommend approval of a Class S Liquor License to BCA Investment Inc. d/b/a Sunny's Food Mart at 326 W. Liberty Drive. On a roll call vote, all voted aye.

Application for an Outdoor Special Event Liquor License – DuPage County Fair Association - DuPage County Fair

Mr. Jim McGuire, President, stated that the DuPage County Fair Association has submitted an application for an Outdoor Special Event Liquor License in connection with the DuPage County Fair, an event to be held on the south end of the County Fairgrounds on July 28-30, from noon to 11 P.M. on July 28th and 29th and noon to 8 P.M. on July 30th.

Mr. McGuire stated that this year, the Fair Association is again planning a smaller, three-day event for the County Fair.

Regarding liquor sales procedures, Mr. McGuire stated that beer, wine and seltzer single serving products will be only sold in Building 2. Wheaton Police will be on duty in Building 2 where BASSET/Wheaton Police-trained volunteers will check ID's and "band" attendees wishing to purchase alcohol. All servers at the event will receive alcohol training pursuant to the Liquor Ordinance requirements.

Hearing no questions or comments, Commissioner Brown moved and Commissioner Whitmer seconded a motion to recommend approval of the Fair Association's application for an Outdoor Special Event Liquor License in connection with the DuPage County Fair. On a roll call vote, all voted aye.

Violation Hearing – Aldi, Inc. d/b/a Aldi – 20 W. Loop Road

Chair Pearse called the public hearing to order. Chair Pearse stated that the public hearing is to review evidence relating to allegations of a violation of the Liquor Control Ordinance by Aldi, Inc. d/b/a Aldi whereby liquor was sold to a person under the age of 21.

In their witness of the liquor sale, Chair Taylor stated that the Wheaton Police observed that the salesclerk asked the decoy for identification.

Chair Pearse stated that Aldi, Inc. d/b/a Aldi has entered a plea of guilty to the allegations and that this is Aldi, Inc. d/b/a Aldi 4th violation of the Liquor Control Ordinance; the first occurring in 2014 with a fine imposed of \$500 and the second occurring in 2019 with a fine imposed of \$750 and the third occurring in 2022 with a fine imposed of \$1,250.

Tom Weiler, counsel for ALDI, Store Manager Kathy Major and the district manager Meghan Griffin were present to explain the circumstances surrounding the violation. Ms. Major explained the alcohol sales training that is required of all associates involved with the sale of alcohol.

Hearing no further questions or comments the public hearing was closed.

Violation Hearing – Front Street Grill, LLC d/b/a Ditka's Grill - 225 W. Street

Chair Pearse called the public hearing to order. Chair Pearse stated that the public hearing is to review evidence relating to allegations of a violation of the Liquor Control Ordinance by Front Street Grill, LLC d/b/a Ditka's Grill whereby liquor was sold to a person under the age of 21.

In their witness of the liquor sale, the Wheaton Police observed that the salesclerk asked the minor for identification.

Chair Pearse stated that Front Street Grill, LLC d/b/a Ditka's Grill has entered a plea of guilty to the allegations and that this is Front Street Grill, LLC d/b/a Ditka's Grill 1st violation of the Liquor Control Ordinance.

Mr. Paul Woodard, Vice President of Operations / Partner was present to explain the circumstances surrounding the violation. Mr. Woodard apologized for the violation and reviewed his restaurant's training and alcohol sales policies. Mr. Woodard then reviewed the additional training and procedures

put in place following the violation.

Hearing no further questions or comments the public hearing was closed.

Violation Hearing – Warren’s Ale House LLC - 51 Town Square

Chair Pearse called the public hearing to order. Chair Pearse stated that the public hearing is to review evidence relating to allegations of a violation of the Liquor Control Ordinance by Warren’s Ale House LLC, whereby liquor was sold to a person under the age of 21.

In their witness of the liquor sale, the Wheaton Police observed that the salesclerk asked the minor for identification.

Chair Pearse stated that Warren’s Ale House LLC has entered a plea of guilty to the allegations and that this is Warren’s Ale House LLC 2nd violation of the Liquor Control Ordinance; the first occurring in 2014 with a fine imposed of \$500.

Mr. Jorge Hernandez, owner was present to explain the circumstances surrounding the violation. Mr. Hernandez apologized for the violation and reviewed the additional training and procedures put in place following the violation.

Hearing no further questions or comments the public hearing was closed.

Commissioner Taylor then moved and Commissioner Brown seconded the motion to go into Executive Session pursuant to the Illinois Compiled Statutes 5ILCS 120/2 (c) (4) at 7:40 P.M. On a voice vote, all voted aye. At approximately 7:50 P.M. the Commission returned to open session.

Following an admonishment of the licensees, Chair Pearse stated the Commission will be recommending a \$500 fine for all licensees except Aldi whom the Commission will be recommending a fine of \$3,500 to the Liquor Commissioner.

V. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

VI. ADJOURNMENT

The meeting was adjourned at 7:51 P.M.

Respectfully submitted,

James P. Kozik, AICP
Director of Planning and Economic Development

MEMORANDUM

To: Chair Pearse and Members of the Wheaton Liquor Control Commission

From: James P. Kozik AICP, Director of Planning & Economic Development

Date: May 30, 2023

Subject: Application for an Outdoor Special Event Liquor License - Downtown Wheaton Association – Summer Wine Walk

The Downtown Wheaton Association (DWA) has submitted an application for an Outdoor Special Event Liquor License in connection with their Winter Wine Walk, to be held on August 10, 2023, from 5 - 8:30pm.

This DWA fundraising event is planned as ticketed wine tasting. The DWA will sell tasting tickets in advance to the public on-line. All ticket holders will check in at a location yet to be determined where they will be carded and receive a wristband (must be 21 years or older); receive their tasting tickets, souvenir glass, and a walking map of the tasting locations.

The tasting locations will be inside participating restaurants and selected retailers. The DWA will be purchasing the product and distributing it to the tasting locations. Each location will have a Basset trained person (21 years or older) as the server of the measured tastings. The server will also be responsible for collecting and/or stamping the participant's tasting ticket.

All tastings will be consumed inside the business premises. Signs will be posted inside the doorways noting that all tastings must be finished inside - no alcohol is allowed outside.

Attached for your review is the completed application and accompanying information. At the June 8th Liquor Commission meeting, the Commission will need to review the application and ask any questions of the applicant.

Recommendation

The DWA has previously conducted several such events in the past with no issues. Staff foresees no problems with recommending approval of the proposed license for this event.

If the Local Liquor Commission recommends approval of the proposed license, this matter will be placed on the June 19th City Council Agenda for their review.

Attachment

c: Allison Orr

MEMORANDUM

To: Chair Pearse and Members of the Liquor Commission

From: James P. Kozik AICP, Director of Planning & Economic Development

Date: May 30, 2023

Subject: Liquor Code Amendment – Proposed Liquor License Classification - Class Z Liquor License – Private Pickleball Club - Application for a Class Z License – Pickled -288 E. Geneva Road

Request

On June 8, 2023, the Local Liquor Control Commission will meet to review a proposed amendment to the Liquor Code regarding the creation of a new liquor license classification (Class Z Private Pickleball Club) and an application for a Class Z liquor license. The amendment and license application has been submitted by Pickled Inc., who recently opened a private pickleball club in the former Office Depot space at 288 E. Geneva Road.

The proposed license classification for the use contemplates the sale of beer and wine to members of the club that are participating establishment’s sporting activities.

Proposed Liquor Code Amendment

The proposed Liquor Code amendment creates a standards for the license classification, fees and hours of business as follows:

License Classification Standards:

A Class Z license shall permit the sale of wine and beer solely for on-premise consumption on premises exclusively occupied and operated as a private pickleball club. Such license shall permit the sale only to members of the club and their guests, shall be limited to single servings not to exceed 12 ounces per serving, and only for the consumption of beverages incidental to the presence of the member and their guests on such premises while the member and their guests are participating in the establishment’s sports event.

License Fee:

Z – Private Pickleball Club: \$1,500

Hours of Business:

Monday- Saturday 10:00 AM to 10:00 PM
Sunday Noon to 8:00 PM

License Application

Should the Class Z license classification be approved, the applicant, Pickled, Inc., a private pickleball club located at 288 E. Geneva Road, seeks such a license to serve beer and wine to their members and their guests who are participating in the establishment's sporting activities.

The applicant indicates that it is their intention that liquor is to be sold only in the "Lounge Area" as indicated on the blueprint submitted for the application. The liquor will be stored in a locked commercial-grade refrigerator (cooler). Only BASSET-certified staff can unlock, sell, and serve liquor. Liquor will be consumed in the lounge area, the viewing areas between courts #2 and #7, and also in the two viewing areas between courts #4 and #5. These viewing areas are also indicated on the attached blueprint.

Recommendation

The proposed Class Z License Classification would have limited applicability and is consistent with other such classifications that have been created to accommodate various businesses in the city.

If the Local Liquor Commission recommends approval of the proposed amendment and license, the item will be placed on the June 19th City Council Agenda.

Attachment

c: Nathan Patrick Taylor