

1. Call To Order And Roll Call

2. Public Comment

3. Approval Of Minutes

3.I. May 9, 2019

Documents:

[MAY 9, 2019.PDF](#)

4. Old Business

5. New Business

5.I. Outdoor Special Event Liquor License - Downtown Wheaton Association - Wheaton Wine Walk

Documents:

[DWA WINEWALK.PDF](#)

5.I.i. Outdoor Special Liquor License - DuPage County Fair Association - DuPage County Fair

Documents:

[DUPAGE COUNTY FAIR.PDF](#)

6. Adjournment



WHEATON LOCAL LIQUOR CONTROL COMMISSION MEETING MINUTES

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

May 9, 2019

I. CALL TO ORDER AND ROLL CALL VOTE

Mr. Kozik called the May 9, 2019 meeting of the Local Liquor Control Commission meeting 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, Commissioner Sender, Chair Taylor. Absent: Commissioner Pearse, Commissioner Wolgemuth. 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 24, 2019

Commissioner Brown moved and Commissioner Sender seconded a motion to approve the minutes of the April 24, 2019 Local Liquor Control Commission meeting as submitted. On a voice vote, all voted aye.

IV. NEW BUSINESS

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

The hearing was called to order. Chair Taylor stated that Aldi has pleaded guilty to the alleged violation. Ms. Anne Junia, an attorney with Webster Powell representing Aldi, Ms. Katie Nauert, store manager and Mike Montelbanno, district manager were sworn in.

Ms. Junia apologized for the incident and then described the events surrounding the alleged violation to the Commission. Ms. Junia stated that the employee who committed the alleged violation was filling in from another store that was not as busy as the Wheaton location and because she was hurried, incorrectly entered the decoys birthdate into the system. Ms. Junia stated the employee was not formally disciplined by the store, but had previously been BASSETT trained.

When question by Chair Taylor regarding the number of staff people sell alcohol, Ms. Nauert stated that only cashiers and management personnel are involved in liquor sales and all are BASSETT certified.

Chair Taylor questioned why the employee was not disciplined. Ms. Junia stated the employee was not disciplined because she was a helper from another store.

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

Violation Hearing – The Irish Dores Group LLC d/b/a/ The Original Gino’s East Pizzeria - 315 W. Front Street

The hearing was called to order. Chair Taylor stated that The Irish Dores Group, LLC has pleaded guilty to the alleged violation. Mr. James Dolan, owner of The Irish Dores Group, LLC was sworn in. Mr. Dolan apologized for the incident and then described the events surrounding the alleged violation to the Commission.

Mr. Dolan stated that he used the violation as a teaching moment for other employees to stress the need for vigilance regarding the lawful sale of alcohol.

Mr. Dolan stated the employee was suspended for a week. Mr Dolan stated that it is his restaurants policy to card anyone who appears under the age of 40.

When asked by the Commission, Mr. Dolan stated he took over ownership of the restaurant in 2012.

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

Violation Hearing – American Drug Stores, LLC d/b/a Osco Drug #3283 - 2031 N. Main Street

The hearing was called to order. Chair Taylor stated that American Drug Stores, LLC has pleaded guilty to the alleged violation. Ms. Johanna Chacon, Corporate Secretary and Mr. Michael Beemer, a store manager, were sworn in. Ms. Chacon apologized for the incident and then described the events surrounding the alleged violation to the Commission.

Ms. Chacon stated that the employee that committed the violation was upset due to a recent death in the family and hit the override by accident. Ms. Chacon stated that the employee was suspended without pay for three days and all employees involved in the sale of alcohol were retrained.

Ms. Chacon stated that is in now this stores policy to get the store manager involved in a transaction when presented with a vertical I.D.

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

Violation Hearing – Wheaton Bowling Inc. d/b/a Wheaton Bowl - 2031 N. Gary Avenue

The hearing was called to order. Chair Taylor stated that Wheaton Bowling Inc. has pleaded guilty to the alleged violation. Mr. Mark Gissy, manager, was sworn in. Mr. Gissy apologized for the incident and then described the events surrounding the alleged violation to the Commission.

Mr. Gissy stated that, sadly, Wheaton Bowl will be closing on June 8th. Mr. Gissy stated that the employee who committed the violation was a long-time employee who asked for the decoy’s ID, looked at it, and for whatever reason, proceeded with the sale.

Mr. Gissy stated that this employee knows the proper procedures and has followed them in the past. Mr. Gissy stated that this employee has health problems and is no longer tending bar at the Wheaton Bowl.

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

Commissioner Sender then moved and Commissioner Brown seconded the motion to go into Closed Session pursuant to State Statute at 7:22 PM. On a voice vote, all vote aye.

Commissioner Brown then moved and Commissioner Sender seconded the motion to go into Open Session at 7:33 PM. On a voice vote, all vote aye.

Chair Taylor admonished the Licensees and stated that the Commission will be recommending the following fines to the Liquor Commissioner; Aldi \$750, The Irish Does Group \$1,000, Osco \$1,000 and Wheaton Bowl \$500.

Chair Taylor stated that it is his hope and expectation that the penalty will deter any future violations of the Wheaton Liquor Control Ordinance and that it will promote respect and recognition of the seriousness with which the City takes its responsibility to administer proper regulation of the sale and service of alcoholic beverages under the Ordinance.

V. MISCELLANEOUS BUSINESS

Commissioner Brown moved and Commissioner Sender seconded a motion to appoint Mark Taylor as Chair for the upcoming year. On a voice vote, all voted aye.

VI. ADJOURNMENT

The meeting was adjourned at 7:39 P.M.

Respectfully submitted,

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

MEMORANDUM

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

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

Date: June 7, 2019

Subject: Outdoor Special Event Liquor License - Downtown Wheaton Association - Wheaton Wine Walk

The Downtown Wheaton Association (DWA) has submitted an application for an Outdoor Special Event Liquor License in connection with their second annual Wheaton Wine Walk, to be held on Thursday, August 8, 2019.

This DWA fundraising event is planned as a ticketed wine tasting event. The DWA will sell tasting tickets (\$35 for 12- one ounce tastings in advance and \$40 the day of the event) to the public on-line and at the check in tent at Martin Memorial Plaza on the day of the event. All ticket holders will check in at Martin Memorial Plaza to be carded and receive a wristband (must be 21 years or older); receive their tasting tickets, souvenir wine glass, and a walking map of all the tasting locations.

The tasting locations will be inside participating restaurants and selected retailers. The DWA will be purchasing the wine and distributing it to the tasting locations. Each location will have one to two wines offered for tastings. Each location will have a Basset trained person (21 years or older) as the server. A special wine stopper that only allows for 1-ounce pours will be in each opened bottle. The server will be responsible for marking off each tasting on the participant's tasting ticket.

All tastings must be consumed inside the business premises. Signs will be posted inside the doorways noting that all tastings must be finished inside- no alcohol allowed outside. At each tasting station, a tray of appetizers will be available to participants to enjoy.

Free Tuk Tuk service and a school bus trolley will circulate in the Downtown area to provide transportation from the north side of the Downtown to the tasting locations on the south side of Downtown.

Live music will be provided at the "W" Plaza and by Andrew's Garden; at Hale and Wesley.

Glass rinsing stations (portable water coolers and buckets to catch the water) will be located on the sidewalk on each street of Hale, Front, Main and Wesley.

Attached for your review is the completed application and accompanying information. At the June 13th Liquor Commission meeting, the Commission will need to review the application and ask any questions of the applicant.

Staff has no outstanding issues or concerns with regards to this application, and foresees no problems with recommending approval of the Outdoor Special Event Liquor License to the Downtown Wheaton Association for this event.

If the Local Liquor Commission recommends approval of the Outdoor Special Event Liquor License, the application will be placed on the June 17th City Council Agenda.

Attachment

c: Paula Barrington

MEMORANDUM

TO: Chair Taylor and Members of the Wheaton Liquor Commission

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

DATE: June 5, 2019

SUBJECT: Outdoor Special Event Liquor License – DuPage County Fair Association – DuPage County Fair

The DuPage County Fair Association has submitted Outdoor Special Event Liquor License application in connection with the DuPage County Fair to be held July 24th thru the 28th.

The Fair Association is proposing at four areas (the same as last year) within the Fairgrounds for the sale of alcohol. As in previous years, the areas devoted to the sale of alcohol will either be indoors or completely fenced off. There will be no large concert venue again this year. Wheaton Police and BASSET/Wheaton Police-trained volunteers will be on duty at the entrances to 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. The alcohol sales hours will be 5PM – 10PM Wednesday and Thursday; 2PM – 11PM Friday; 1PM – 11PM Saturday and 1PM – 9PM on Sunday. The sales of Alcohol will end one hour before close.

Attached for your review is the completed application and accompanying information. At the June 13th Liquor Commission meeting, the Commission will need to review the applications and ask any questions of the applicant.

Staff has no outstanding issues or concerns with regards to this application, and foresees no problems with recommending approval of an Outdoor Special Event Liquor License to the DuPage County Fair Association for this event.

If the Local Liquor Commission recommends approval of the Outdoor Special Event Liquor License, the applications will be placed on the June 17th City Council Agenda.

Attachment

c: Jim McGuire