



WHEATON LOCAL TOBACCO COMMISSION MEETING MINUTES

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

June 12, 2025

I. CALL TO ORDER AND ROLL CALL

Chair Pearce called the June 12, 2025 meeting of the Local Tobacco Control Commission to order at 7:32 P.M. in the City Council Chambers of the Wheaton City Hall, 303 West Wesley Street.

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

II. PUBLIC COMMENT

There was no public comment.

III. APPROVAL OF MINUTES – June 20, 2024

Hearing no questions or comments, Commissioner Laird moved and Commissioner Whitmer seconded a motion to recommend approval of the minutes of the June 20, 2024 Local Tobacco Control Commission meeting as submitted. On a voice vote, all voted aye.

IV. NEW BUSINESS

Violation Hearing – Wheaton Convenience LLC d/b/a CA Convenience, 1026 College Avenue

Chair Pearce called the public hearing to order. Chair Pearce stated that the public hearing is to review evidence relating to allegations of a violation of the Tobacco Control Ordinance by Wheaton Convenience LLC d/b/a CA Convenience whereby tobacco products were sold to a person under the age of 21.

Mr. Kozik stated that in their witness of the tobacco sale, the Wheaton Police observed that the salesclerk did not ask the decoy for identification and that the licensee has entered a plea of guilty to the allegations. A Tobacco License holder since 2023, Mr. Kozik stated that this is Wheaton Convenience LLC d/b/a CA Convenience's second violation of Section 26-135 of the City Code with a fine levied of \$200 in 2023.

Mr. Umer Masoom, manager, was present to explain the circumstances surrounding the violation. Mr. Masoom stated that the clerk who committed the violation is no longer in his employ. Mr. Masoom stated that it is now his businesses policy to card everyone wishing to purchase tobacco product regardless of age.

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

Violation Hearing – Emma's Groceries, Inc d/b/a Wheaton Food Mart & Tobacco, 728 S. Lorraine Road

Chair Pearce called the public hearing to order. Chair Pearce stated that the public hearing is to review evidence relating to allegations of a violation of the Tobacco Control Ordinance by Emma's Groceries, Inc d/b/a Wheaton Food Mart & Tobacco whereby tobacco products were sold to a person under the age of 21.

Mr. Kozik stated that in their witness of the tobacco sale, the Wheaton Police observed that the salesclerk asked the decoy for identification and that the licensee has entered a plea of guilty to the allegations. A Tobacco License holder since 2023, Mr. Kozik stated that this is Emma's Groceries, Inc d/b/a Wheaton Food Mart & Tobacco's second violation of Section 26-135 of the City Code with a fine levied of \$200 in 2023.

Ms. Emma Santos-Salazar, owner, was present to explain the circumstances surrounding the violation. Ms. Santos-Salazar stated her sister, who was taking care of the business while she was attending to family matters in Mexico, committed the violation. Ms. Santos-Salazar stated that normally she is the only person who works at the store and that she asks for everyone's ID.

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

Violation Hearing – Osco Drug #3230 – 30 Danada Square West

Chair Pearce called the public hearing to order. Chair Pearce stated that the public hearing is to review evidence relating to allegations of a violation of the Tobacco Control Ordinance Osco Drug #3230 whereby tobacco products were sold to a person under the age of 21.

Mr. Kozik stated that in their witness of the tobacco sale, the Wheaton Police observed that the salesclerk asked the decoy for identification and that the licensee has entered a plea of guilty to the allegations. A Tobacco License holder since the late 1980's, Mr. Kozik stated that this is Osco Drug #3230's fourth violation of Section 26-135 of the City Code with fines levied of \$75 in 1993, \$75 in 1994 and \$300 in 2015.

Store Manager Cale Clay and Corporate Officer Johanna Chacon were present to explain the circumstances surrounding the violation. Mr. Clay stated the clerk did not follow protocol when she made the sale. Mr. Clay stated that the clerk received a three day suspension and was retrained on proper procedures upon her return.

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

At 7:48 P.M. Commissioner Whitmer then moved and Commissioner Laird seconded the motion to go into Executive Session pursuant to the Illinois Compiled Statutes 5ILCS 120/2 (c) (4) On a voice vote, all voted aye. At approximately 7:55 P.M. the Commission returned to open session.

Following an admonishment of the licensees, Chair Pro-Tem Taylor stated the Commission will be recommending a \$500 fine for all three licensees to the Tobacco Commissioner.

V. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

VI. ADJOURNMENT

The meeting was adjourned at 7:58 P.M.

Respectfully submitted,

Eileen Pearse – Chair
Local Tobacco Commission