



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