

LOCAL TOBACCO CONTROL COMMISSION

May 10, 2018

I. CALL TO ORDER AND ROLL CALL VOTE

Chair Taylor called the May 10, 2018 meeting of the Local Tobacco Control Commission meeting along with the Local Liquor Control Commission meeting to order at 7:00 P.M. in the Council Chambers of the Wheaton City Hall, 303 West Wesley Street.

Upon roll call, the following were present: Commissioner Brown, Commissioner Pearce, Commissioner Sender, Chair Taylor, Commissioner Wolgemuth. Absent: None. 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 8, 2017

Commissioner Wolgemuth moved and Commissioner Brown seconded a motion to approve the minutes of the June 8, 2017 Local Tobacco Control Commission meeting as submitted. On a voice vote, all voted aye.

IV. NEW BUSINESS

Violation Hearing – Hunter-Doan Inc. d/b/a South Main Marathon – 325 S. Main Street

Chair Taylor called the public hearing to order and stated that the public hearing is to review evidence relating to allegations of a violation of the Tobacco Control Ordinance by Hunter-Doan Inc. d/b/a South Main Marathon, whereby tobacco products were sold to a person under the age of 18.

Chair Taylor indicated that Hunter-Doan Inc. has entered a plea of guilty to the allegations.

Mr. Warren Hunter, owner, stated he was in the shop when the sale occurred, but stated that the clerk who made the sale did ask for ID, but failed to read the birthdate correctly. Mr. Hunter apologized for the incident and stated that he has updated his training procedures since the incident.

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

Violation Hearing – Namaste Foods, LLC d/b/a Namaste Foods – 1801 E. Roosevelt Road

Chair Taylor called the public hearing to order and stated that the public hearing is to review evidence relating to allegations of a violation of the Tobacco Control Ordinance by Namaste Foods, LLC, whereby tobacco products were sold to a person under the age of 18.

Chair Taylor indicated that Namaste Foods, LLC, has entered a plea of guilty to the allegations.

Mr. Krishan Munjal, a friend of the owner and occasional employee expressed regret that the owner, Mr. Thapa could not be in attendance, but expressed Mr. Thapa's apologies for the incident.

Chair Taylor stated that he would like to have Mr. Thapa at the Commission's next meeting in order to discuss the procedures the store has in place to ensure that tobacco products are not sold to underage persons.

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

Violation Hearing – Jorgio's Cigars & Collectables Ltd. d/b/a/ The Wolfhound Cigar Lounge – 600 S. County Farm Road

Chair Taylor called the public hearing to order and stated that the public hearing is to review evidence relating to allegations of a violation of the Tobacco Control Ordinance by Jorgio's Cigars & Collectables, Ltd., whereby tobacco products were sold to a person under the age of 18.

Chair Taylor indicated that Jorgio's Cigars & Collectables Ltd, has entered a plea of guilty to the allegations.

Mr. Brian Berendsen, owner, apologized for the incident and stated that they failed in what they are supposed to do; and that typically they are very vigilant.

Mr. Berendsen stated that since the incident, they have implemented a program to card anyone appearing under the age of 30.

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

Commissioner Sender then moved and Commissioner Pearse seconded the motion to go into Executive Session pursuant to the Illinois Compiled Statutes 5ILCS 120/2 (c) (4) at 7:25 P.M. On a voice vote, all voted aye. At approximately 7:30 P.M. the Commission returned to open session.

Following an admonishment of the three licensees, Chair Taylor stated the Commission will be recommending a \$500 fine for Hunter-Doan Inc. d/b/a South Main Marathon and Namaste Foods, LLC and \$300 Jorgio's Cigars and Collectables to the Tobacco Commissioner.

V. MISCELLANEOUS BUSINESS

Commissioner Wolgemuth moved and Commissioner Sender seconded a motion to nominate Mark Taylor as Chairperson for the upcoming year. On a voice vote, all voted aye.

VI. ADJOURNMENT

The meeting was adjourned at 7:35 P.M.

Respectfully submitted,

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