



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