

LIQUOR AND LICENSE COMMISSION
McHenry County Government Center – Administration Building
667 Ware Road - Woodstock IL 60098

MINUTES OF WEDNESDAY, NOVEMBER 14, 2007

Chairman Hammerand called the meeting to order at 9:15 a.m. The following members were in attendance: John Hammerand, Chairman; Yvonne M. Barnes; Mary McCann; and Nick Provenzano. James P. Kennedy had let the Commission know he would be unable to attend today's meeting. Also in attendance: Jamie Rein, Assistant State's Attorney; Captain Tony Cundiff – Sheriff's Office; and interested public.

John Hammerand, Chairman
Yvonne M. Barnes James P. Kennedy
Mary T. McCann Nick Provenzano

MINUTES OF THE PREVIOUS MEETING

Mr. Provenzano made a motion, seconded by Ms. Barnes, to approve the regular session minutes of October 10, 2007. The minutes were approved as submitted with all members present voting aye.

PUBLIC COMMENT: None

PRESENTATION: None.

NEW BUSINESS

New and Renewal Liquor License, Manager and/or Amusement License Requests: The Commission reviewed an application for new Liquor License for Taqueria Camino Real located at 22418 W Grant Highway, Marengo, Illinois. They interviewed Rosa A Ramirez who will be the owner and Graciela Ortiz who will be the manager of the establishment. The finger print results have not been received. All other paperwork and documents were in order. Chairman Hammerand reviewed the Liquor Ordinance and asked that the applicants read and become familiar with this document. Ms. Ramirez stated that she has attended a BASSET course. After reviewing the documents and interviewing the applicants, Mr. Provenzano made a motion, seconded by Ms. McCann, to approve a Liquor License for Taqueria Camino Real located in Marengo subject to finger print results. The motion carried with all members present voting aye. The Commission agreed that a liquor license could be given to the applicants today, but if finger print results came back with any concerns the license would be confiscated until further consideration by the Commission.

Captain Cundiff stated that there is some concern with issuing a liquor license to an applicant without fingerprint results. Chairman Hammerand agreed, but noted it may be difficult to refuse a liquor license if a felony had occurred and the applicant had served their time. Ms. Reins reviewed the Liquor Ordinance noting that a convicted felon could receive a liquor license if proof of sufficient rehabilitation has been provided.

The Commission reviewed an application for a new liquor license for Alden Grocery Store located on Route 173 in Alden. They interviewed Mr. Vijay B. Patel who will be the new owner. It was noted that Mr. Patel had been finger printed, but the results have not been received. In addition, a Health Permit has not been issued as a health inspection of the establishment will be done this coming Friday. Mr. Patel will be leasing this property. The Commission asked Mr. Patel to return next month at which time the finger print results should be available along with the Health Permit.

Raffle Permits: A Raffle Application was reviewed for St. Peter's Church of Spring Grove. Noting all paperwork was completed, Mr. Provenzano made a motion, seconded by Ms. Barnes, to approve a raffle permit as requested for St. Peter's Church. The motion carried with a unanimous voice vote of all ayes.

Chairman Hammerand asked if Ms. Reins had researched if a catering/liquor license that had been granted to an establishment located in a municipality could also offer catering/liquor service in unincorporated areas of the County. Mr. Provenzano also noted that issue should also address such events when held in a municipality with a licensee of the unincorporated areas. The procedures appear vague in how to address requests for such events. The Commission asked Ms. Reins if she could provide a State's Attorney's opinion relative to these concerns.

Chairman Hammerand asked that the members return to a discussion on how liquor licenses should be granted. He stated that in the past staff has been directed to issue a liquor license if the applicant brings in the requested paperwork. He stated that it has seldom been necessary to call a special meeting to consider a liquor license application. He noted that some trust has been given to the applicant. He stated that he was pleased that the Commission requested Mr. Patel to return in December with the documents requested. He noted that although the finger print results had not been

received for Taqueria Camino Real, the applicant had 15 years experience as an owner and felt the Commission made the

right decision in approving the license for this establishment. Ms. Rein agreed that at times the decision can be difficult, but in the end it goes back to trust and good judgment.

Incident Reports: Captain Cundiff reported that deputies have been monitoring the Lizard Lounge and they continue to make nightly checks on the establishment.

Captain Cundiff reported there have been several reoccurring issues at Suds R Us. He stated that the bouncer at the door has requested IDs from deputies that have made routine visits. In addition, deputies have been asked to write their names down before they are allowed to enter. He noted that a bar check of an establishment does not require an incident report as these are normal monitoring procedures. Chairman Hammerand questioned if the owner of Suds R Us should be requested to meet with the Commission to discuss these concerns/issues. Captain Cundiff responded that a meeting with the Commission may be helpful as this is an ongoing problem. Mr. Provenzano asked that Captain Cundiff provide a written document detailing the specific problems that have occurred with this establishment. The Commission also requested a further background check by the Sheriff's Department on the current owner.

Ms. Barnes raised her concerns that the procedures to process a liquor application appear to be inconsistent. She asked that a State's Attorney's opinion be requested as to if a liquor license should be given prior to receiving finger print results. Ms. Barnes stated she felt it unwise to do so and would not support this process in the future.

Ms. Reins requested that the Commission send their requests for State's Attorney's opinions through the County Administrator. Mr. Provenzano stated Ms. Reins suggestion follows the previously approved policy for requesting such an opinion.

ADJOURNMENT: Noting no further business, the meeting adjourned at 10:58 a.m. on a motion by Mr. Provenzano, seconded by Ms. McCann, with all members present voting aye.

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