

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

MINUTES OF WEDNESDAY, JUNE 11, 2008

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

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

MINUTES OF THE PREVIOUS MEETING

Mr. Kennedy made a motion, seconded by Ms. McCann, to approve the regular session minutes of May 14, 2008 Liquor and License Commission meeting. The minutes were approved as submitted with all members present voting aye.

PUBLIC COMMENT: None.

PRESENTATION: None.

NEW BUSINESS:

Raffle Permits: The Commission reviewed the following three Raffle License Applications: Big Brothers Big Sisters of McHenry County; St. Peter's Roman Catholic Church; and the Crystal Lake Lions Club. Noting that the forms and documents were all completed and the necessary bond insurance were attached; Ms. McCann made a motion, seconded by Ms. Barnes, to approve the three raffle permits as submitted. The motion carried with all members present voting aye on a roll call vote (McCann, Provenzano, Kennedy, Barnes and Hammerand).

Special One-Day Liquor License: The Commission met with Ms. Margaret Carrasco, President of the Lake County Soccer Association, who is applying for three "Class F" Special One-Day Liquor licenses for soccer events to be held on 6/15, 7/6 and 7/13 in unincorporated McHenry County, at 5411 Route 12, Richmond, Illinois. She noted expected each event to draw approximately 100 attendees. It was noted that the applicant had not applied for a temporary event use permit from the Planning and Development Department nor did she have a signed security agreement from the Sheriff's Department. She stated that alcohol would be sold in a fenced off area and provided a sketch plan of the area. Proof of dram shop insurance was provided. The Commission noted that no more than three Class F liquor licenses can be issued to any one organization during a licensing year (5/1 to 4/30), and if they approved the three requests, this organization would not be able to apply for any other Class F licenses this year. They also stated that payment for these events is non-refundable should the events be canceled for any reason. After discussion, Mr. Kennedy made a motion, seconded by Mr. Provenzano, to approve a Class F one-day liquor license for Lake County Soccer Association for a soccer event to be held on June 15th pending receipt of a permit from the Planning and Development Department and a Security Plan approved by the Sheriff's Department. The motion carried with all members present voting aye on a roll call vote (McCann, Kennedy, Provenzano and Hammerand). Ms. Barnes had left the meeting prior to the vote.

Mr. Kennedy next made a motion, seconded by Mr. Provenzano, to approve two Class F Liquor Licenses for an event to be held on July 6, 2008 and another on July 13, 2008 for the Lake County Soccer Association pending receipt of a permit from the Planning and Development Department. Mr. Provenzano made a motion to amend Mr. Kennedy's motion to include a security agreement from the Sheriff's Department for each event and to direct staff to hold distribution of these two licenses until time of the event and notification from the Sheriff's Department that the previous event was held with no problems. Mr. Kennedy agreed and seconded Mr. Provenzano's motion. A roll call vote on the motion to amend carried with all members present voting aye on a roll call vote (McCann, Kennedy, Provenzano and Hammerand). The main motion carried with all members present voting aye on a roll call vote (McCann, Kennedy, Provenzano and Hammerand). A check in the amount of \$375 was submitted for the three events.

Mr. Alfred Luna addressed the Commission and asked to be granted five Class F liquor license for events to be held on his property in unincorporated McHenry County just outside the Village of Richmond. Members questioned Mr. Luna regarding his non-profit status. Mr. Luna could not provide documents indicating the establishment of a non-profit organization. The Commission reviewed requirements and forms that must be completed when applying for a Class F liquor license and stated they could not grant Mr. Luna's request for a Class F liquor license without proof he has established a not for profit organization.

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The Commission reviewed a Class F application from the Steirer Club of Chicago for two events to be held on July 13, 2008 and August 10, 2008 at 1012 Steuben Road, Lilymoor. Noting all paperwork was completed properly, Mr. Kennedy made a motion, seconded by Ms. McCann to approve two Class F Liquor Licenses for the Steirer Club. The motion carried with all members present voting aye on a roll call vote (Kennedy, Provenzano, McCann and Hammerand).

OLD BUSINESS

Update on Sting Operations: Ms. Rein reported that the Mobil Speed Mart has paid their fines in the total amount of \$2,500. She reviewed the hearings by the State, noting that State fines are reduced by the amount paid to the County.

Ms. Rein asked for direction concerning citations and fines for Chemung Country Store, Old Rivers Inn, Washington Street Station, the Lizard Lounge, Joey B's, Horizontals and the Grand Old Mill. Members stated that all but the Lizard Lounge should pay fines of \$500 for their violations. They asked that Lizard Lounge be fined \$1,000. Ms. Rein stated she would move forward with the liquor citations for the above noted establishments.

Ms. Rein reviewed problems encountered in handling these cases through the Court System, noting that they have been unable to provide the actual person who was sold the alcohol since the State Policy are not providing their source. She stated at least one case has been dismissed by the Courts with the lack of testimony. Captain Tony Cundiff asked that the Sheriff's Department be informed when such a case may be dropped for such reasons. He stated that he has talked with the State Police and they have informed him that they could provide the witness at such trials, but they have not been asked to have their confidential source appear for testimony. Mr. Provenzano stated as Chairman of the Law & Justice Committee, he would schedule a meeting with the Sheriff and State's Attorney to discuss these concerns.

Liquor Ordinance – Proposed Amendments: Ms. Rein reviewed proposed changes to the Liquor Ordinance and asked the members to review these recommendations for discussion at the next meeting. Members also asked the Class F and Class C liquor license requirements be reviewed for possible amendments.

EXECUTIVE SESSION: None

ADJOURNMENT: Noting no further business, the meeting adjourned at 11:19 a.m. on a motion by Mr. Kennedy, seconded by Mr. Provenzano, with all members present voting aye.

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