

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

MINUTES OF WEDNESDAY, APRIL 14, 2010

Chairman Hammerand called the meeting to order at 9:40 am. The following members were in attendance: John Hammerand; Mary McCann; and James P. Kennedy. Barbara Wheeler and Bob Bless were absent. Also in attendance: Sarah Jansen and Jamie Rein - Assistant State's Attorney; and Captain Tony Cundiff, Sheriff's Department.

John Hammerand, Chairman
Bob Bless James P. Kennedy
Mary T. McCann Barbara Wheeler

MINUTES:

Ms. McCann made a motion, seconded by Mr. Kennedy, to approve the minutes of the March 10, 2010 Liquor and License Committee meeting. The minutes were approved as submitted with all members present voting aye on a voice vote.

PUBLIC COMMENT:

Mr. Dennis Leo addressed the Committee and raised his concerns with noise coming from Snug Harbor. He stated the noise is unbelievable and can be heard at his property which is at least 325 feet away from the establishment. His peace and quiet are gone and the owners of Snug Harbor do not seem to care. The noise is progressively getting worse and he sees no relief in sight given the coming of summer. He has notified the police and the noise level does go down, but then starts back up after a few hours.

Lee Papinease also addressed the Committee and supported the previous comments made by Mr. Leo. He stated the noise is loud enough to carry right through his walls and continues until 1:30 am on the weekends. He has not filed a complaint but will do so when the issue arises again.

Members reviewed the Liquor License section which addresses noise and asked that calls be made to the Sheriff's Department when noise issues arise. They noted that the Sheriff will then file a report which the Liquor Commission will have and can determine if further action is necessary. They stressed that the Commission is unable to address concerns without records of reports. Captain Cundiff stated he would personally visit Snug Harbor to make them aware of the issues,

NEW BUSINESS:

New Liquor License, Manager and/or Amusement License request: Tiffany M. Faczek addressed the Commission and provided her three letters of recommendation to be Liquor Manager at Town Liquors located in unincorporated Algonquin. At the March meeting, the Commission requested that Ms. Faczek return with these documents and also provide a finger print report. It was noted that Ms. Faczek had been properly finger printed, but the report has not yet been received. Mr. Kennedy made a motion, seconded by Ms. McCann, to approve Ms. Faczek as the Liquor Manager of Town Liquors pending the finger print report. Mr. Kennedy commented that the recommendation letters were very positive. On a roll call vote, the motion carried with three ayes (Kennedy, McCann and Hammerand).

Adrienne Newman met with the Commission to request an outside license for her establishment known as Sentimental Journey located on S. River Road in McHenry. It was noted that Ms. Newman had previously been approved for an outside license and after discussion Ms. McCann made a motion, seconded by Mr. Kennedy, to approve the Class D license as request. The motion carried with three ayes (Kennedy, McCann and Hammerand).

The Commission met with Anthony Vanacora who came before the Commission for a new liquor license. This is a new application due to a change in the Corporation. After a review of all paperwork, Mr. Kennedy made a motion, seconded by Ms. McCann, to approve the Class A Liquor License for Tony V's located in unincorporated Cary Illinois. The motion carried with three ayes (Kennedy, McCann and Hammerand).

Kurt Milliman came before the Commission to request a Class D license for his establishment known as the Dirty Hog Saloon located on Roberts Rd in unincorporated Island Lake. Mr. Milliman provided letters from neighbors supporting his request. After a review of all regulations regarding noise control and outside service, Ms. McCann made a motion, seconded by Mr. Kennedy, to approve the Class D liquor license for the Dirty Hog Saloon. The motion carried with three ayes (Kennedy, McCann and Hammerand).

Krima Patel and DeVang Patel met with the Commission and provided completed documents for a Class B license for an establishment to be known as Shree Sai, LLC – DBA Lakeside Liquors, located on Hancock Drive in Wonder Lake. Ms. McCann made a motion, seconded by Mr. Kennedy, to approve a Class B Liquor License for Lakeside Liquors. The motion carried with three ayes (Kennedy, McCann and Hammerand).

Approved: 5/12/10

Matthew Abhilash met with the Commission and provided a completed application and three letters of recommendation to serve as Liquor Management of 2022 Food Mart located on W. Route 120 in unincorporated McHenry County. After a review of information provided, Mr. Kennedy made a motion, seconded by Ms. McCann, to approve Matthew Abhilash's application for Liquor Manager of 2022 Food Mart. The motion carried with three ayes (Kennedy, McCann and Hammerand).

The Commission met with Ricky Patel, Ketankumar Patel, Manish Patel and Dana Appner. The Patels' are applying as new owners of the Alden Grocery located on Route 173 in Alden. Ms. Appner is applying to be the Liquor Manager of the establishment. All paperwork was reviewed and found to be in order, except for the expiration date of the Dram Shop Insurance. The owners were asked to have the expiration date changed to 5/1/2011. After discussion, Ms. McCann made a motion, seconded by Mr. Kennedy, to approve a Class B Liquor License for JIYA 1 Inc, DBA Alden Grocery. The motion carried with three ayes (Kennedy, McCann and Hammerand).

The Commission met with Daniel Gillespie and Nick Kolovos who are applying for a Class A liquor license for an establishment to be known as Country Café and Bar. The Liquor Manager, Michael Detrana, was not able to attend today's meeting. The Commission stated that they would be unable to approve this request without the manger in attendance and stated that the owners and manager would need to address the Commission at their next meeting scheduled for Wednesday, May 12, 2010. Mr. Gillespie and Mr. Kolovos agreed to return at that time. No action on this request was taken at today's meeting.

The Commission returned to their discussion of Snug Harbor and the noise problems previously noted. They questioned whether they could postpone approving the Class D (outside license) at this time and just approve the Class A license for this establishment. Ms. Rein stated she would not recommend such action without first meeting with the owners to review the concerns. Chairman Koehler recommended the owners be invited in to meet with the Commission and discuss these concerns and review the Ordinance. It was noted that the noise from this establishment are a violation of the Liquor Ordinance and with proper reports or filed complaints action could be taken. There is a possibility the liquor license could be revoked based on an Ordinance Violation. Ms. Rein pointed out that typically an officer does not enforce an Ordinance Violation, but if a Sheriff's report is filed the Commission could generate a citation to the owners. She stated she would do additional research on the Commission's questions to see if anything further can be done. Chairman Koehler stated if a report is received, please get this to him as soon as possible so there can be no delay in addressing these concerns. If necessary, a special Liquor License meeting could be called.

The Commission reviewed applications for Liquor License renewals. After discussion, Ms. McCann made a motion, seconded by Mr. Kennedy, to renew those licenses with completed paperwork. The motion carried with three ayes (Kennedy, McCann and Hammerand).

Ms. McCann made a motion, seconded by Mr. Kennedy, to authorize the Chairman of the Liquor License Commission to approve any additional renewal applications that may be submitted prior to May 1, 2010. The motion carried with three ayes (Kennedy, McCann and Hammerand).

Amusement renewal applications were reviewed. Ms. McCann made a motion, seconded by Mr. Kennedy, to approve the applications as received and authorize Chairman Hammerand to approve any additional renewal applications for Amusement licenses that made be received prior to May 1, 2010. The motion carried with three ayes (Kennedy, McCann and Hammerand).

Raffle Permits and Special Liquor license requests: Members reviewed the three Raffle Permit Applications for the Hooved Animal Humane Society, the Home of the Sparrow and the Nunda Township Republican Central Committee. Noting all documents were completed and bond information provided for the Hooved Animal Humane Society and the Home of the Sparrow, Mr. Kennedy made a motion, seconded by Ms. McCann to approve the two requests as submitted and approve a Raffle Permit for the Nunda township Republican Central Committee pending receipt of the Manager's Bond. The motion carried with a roll call vote of all ayes (Kennedy, McCann and Hammerand).

Incident Reports: Sting operations were reviewed and Ms. Rein noted that the hearing today was canceled since all owners agreed to pay the \$1,000 fine. Those establishments are: 2022 Food Mart, Town Liquors and Rez's Food Stop.

Mr. Kennedy commented that a recent youth forum was held at the Woodstock Opera house which addressed underage drinking. The event was well attended.

Ms. Rein announced that a reply brief would be filed today with the Attorney General's Office for the Mobil Speed Mart. A request is also being made for Oral argument, which is not always granted. Chairman Koehler stated he is prepared to take this issue all the way if the County loses in the appellate court.

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

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RECOMMENDED FOR BOARD ACTION/REVIEW:

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