



MINUTES
REGULAR SESSION LIQUOR COMMISSION
TUESDAY, APRIL 13, 2021, 4:00 P.M.

This meeting was conducted under Governor Pritzker’s Executive Order 2020-07 §6, which was reissued and extended by Executive Order 2021-06. The Order, implemented in response to COVID-19, suspended in-person attendance under the Open Meeting Act, 5 ILCS 120.

The Liquor Commission convened in regular session virtually via Zoom conferencing with Tari Renner, Liquor Commissioner, and Amanda Mohan, Deputy City Clerk, in-person in City Hall’s Council Chambers and virtually via Zoom conferencing at 4:00 p.m., on Tuesday, April 13, 2021. The meeting was called to order by Commissioner Tari Renner.

Roll Call

Attendee Name	Title	Status	Arrived
Tari Renner	Commissioner	Present	
Jim Jordan	Commissioner	Absent	
Lindsey Meister	Commissioner	Remote	

Staff Advisors

Staff Present	Title	Status	Arrived
Amanda Mohan	Deputy City Clerk	Present	
George Boyle	Asst. Corporation Counsel	Remote	
Timothy McCoy	Assistant Police Chief	Remote	
Theodore Kozinski	Financial Services Manager	Remote	

Public Comment

Commissioner Renner opened the meeting to receive public comment. Amanda Mohan, Deputy City Clerk, informed the Commission that no individuals had registered speak live and no emailed public comment was received.

Agenda Item 4A. Consideration and action to approve Minutes from the March 9, 2021 Regular Liquor Commission Meeting, as requested by the City Clerk Department.

Commissioner Meister motioned, seconded by Commissioner Renner, to approve the Consent Agenda as presented.

Commissioner Renner directed the Clerk to call roll which resulted in the following:

AYES: Meister, Renner

Motion carried.

Regular Agenda

All license creations, amendments or transfers are contingent upon compliance with all building, health, and safety codes.

The following item was presented:

Agenda Item 5. Public Hearing and action on the request from CBOCS West, Inc., d/b/a Cracker Barrel Old Country Store #125, to be located at 502 Brock Dr., requesting a Class RBPS (Restaurant, Beer and Wine Only, Package and Sunday Sales) liquor license, as requested by the City Clerk Department.

Commissioner Renner introduced the item.

Nicole Levesque, Attorney on behalf of CBOCS West, Inc., after being sworn, addressed the Commission.

Commissioner Renner asked for an explanation of the business model and the proposed changes to the current model. Ms. Leveque explained that CBOCS West, Inc., Applicant, originally requested a liquor license with package sales and outdoor consumption. She stated that the Applicant no longer wished for either and requested the classification be amended from a Class RBPS to a Class RBS liquor license. She went on to explain that the restaurant had been in operation for some time and that the addition of liquor license was a nationwide corporation change. Ms. Leveque explained that the company hoped liquor sales would be 5% of their total gross receipts and confirmed that staff would be BASSET certified and, additionally, employees would be trained on local liquor regulations through an electronic training program.

Commissioner Renner noted that the business had been in operation for approximately 27 years. He asked if the Applicant had any intention to submit an application for video gaming machines. Ms. Leveque responded that, to the best of her knowledge, the corporation was not interested in video gaming machines.

Commissioner Meister asked the hours that alcohol would be served. Ms. Leveque responded that, while alcohol would be available throughout the day, it would only be served with food.

George Boyle, Assistant Corporation Counsel, confirmed Ms. Levesque was an Attorney with Webster Law in Chicago, IL who represented CBOCS West, Inc.

Mr. Boyle then asked for additional confirmation on whether consumption for their porch area was requested. Ms. Levesque confirmed that the Applicant no longer wished to have outdoor consumption.

Commissioner Renner noted that all license creations were conditional upon compliance with all building, health, and safety codes.

Commissioner Meister motioned, seconded by Commissioner Renner, to positively recommend the application for a liquor license as amended.

Commissioner Renner directed the Clerk to call roll which resulted in the following:

AYES: Meister, Renner

Motion carried.

Commissioner Renner confirmed with Amanda Mohan, Deputy City Clerk, that the application would then appear before City Council on May 10, 2021.

The following item was presented:

Agenda Item 6. Hearing: First appearance on a Complaint and Citation (#2021-008) issued to Old English LTD., d/b/a Windjammer, located at 2303 Stern Dr., as requested by the Legal Department.

Commissioner Renner introduced the item and asked George Boyle, Assistant Corporation Counsel, to provide additional comments. Mr. Boyle explained that the violation was for indoor consumption during the time period that indoor consumption was prohibited per Executive Orders. He explained that the licensee admitted to the violation which occurred on January 12, 2021 and that the establishment was fined \$400, which had already been paid.

Commissioner Renner confirmed with Mr. Boyle that no additional action was required.

The following item was presented:

Agenda Item 7. Continued Sanctions Hearing on a Complaint and Citation (#2021-003) issued to Hurley Consolidated Enterprises, LLC, d/b/a Drifters, located at 612 N. Main St., as requested by the Legal Department.

Commissioner Renner introduced the item and asked George Boyle, Assistant Corporation Counsel, to provide additional comments. Mr. Boyle reminded the Commission that Drifters, Licensee, appeared before the Commission on April 13, 2021 for a Hearing on a Complaint and Citation for unpaid food and beverage taxes. He then stated the requirements as determined by the Commission at said meeting.

Commissioner Renner asked if the Licensee had met the terms as determined by the Commission. Mr. Boyle confirmed they had not and explained the incentive of a reduced fine if taxes was paid within seven days. Mr. Boyle informed the Commission that the Legal Department had been in contact with the Licensee and their attorney on discussions for a modified agreed order that the Legal Department supported.

Commissioner Renner asked Mr. Boyle to outline the modified agreed order and asked if the Licensee agreed to the modifications. Mr. Boyle explained that the discussions had continued throughout the day but that he had not received final confirmation from the Licensee or their attorney. Mr. Boyle then reported the modifications that the Legal Department supported which began with the Licensee being required to pay a \$2,500 fine by April 30, 2021 with \$1,500 of said fine by the end of the week. He stated that the license renewal was partially submitted and that the modifications required that the Licensee must pay the license fee with a 10% late fee by April 30, 2021 in addition to submitting any missing additional supplemental documentation. If the initial terms were complied with by April 31, 2021, a license would be issued. He went on to explain that past due taxes were to be paid in two monthly installments with the first half to be paid on or before May 31, 2021, and the second half to be paid on or before June 30, 2021. He stated that during that time, the Licensee must remain current on all taxes and, that a failure to remain current or submit installment payments would result in further sanctions. If all taxes were not paid by July 1, 2021, the license would be revoked. Mr. Boyle recommended that the matter be continued to May 11, 2021 Liquor Commission meeting for monitoring and additional potential sanctions.

Commissioner Meister had no additional questions for Mr. Boyle.

Rich Marvel, Attorney for Hurley Consolidated Enterprises, LLC, after being sworn, addressed the Commission. He explained that his client agreed with the recommendations and that the \$1,500 fine would be paid by the end of business. He expressed appreciation for the City's willingness to work with them in light of the difficult time.

Commissioner Meister had no additional questions for Mr. Marvel.

Mr. Boyle explained that, with the agreement, he would reduce it to writing for signatures.

Commissioner Meister motioned, seconded by Commissioner Renner, to approve the terms for a modified agreed order as presented.

Commissioner Renner directed the Clerk to call roll which resulted in the following:

AYES: Meister, Renner

Motion carried.

The following item was presented:

Agenda Item 8. Continued Hearing on a Complaint and Citation issued to Mickey's Kitchen, Inc. d/b/a Mickey's Kitchen, located at 1709 S. Veterans Parkway, Suite A, as requested by the Legal Department.

Commissioner Renner asked George Boyle, Asst. Corporation Counsel, for an update on the item.

Mr. Boyle provided a background on the item noting the reasons for the Hearing. He explained that the item had been continued a few times because of the nature of the complaint and illness that had been involved. He stated that the Legal Department had been in discussions and that an agreement should be presented to the Commission by the May 11, 2021 Liquor Commission meeting.

Commissioner Meister motioned, seconded by Commissioner Renner, to continue the item to the May 11, 2021 Liquor Commission meeting.

Commissioner Renner directed the Clerk to call roll which resulted in the following:

AYES: Meister, Renner

Motion carried.

Old Business

No old business was discussed.

New Business

No new business was discussed.

Adjournment

Commissioner Meister motioned, seconded by Commissioner Renner, to adjourn the meeting.

Motion carried (viva voce).

The meeting adjourned at 4:18 p.m.



Amanda Mohan, Deputy City Clerk