

1. Call To Order And Roll Call
2. Public Comment
3. Approval Of Minutes

3.I. December 12, 2019

Documents:

[DECEMBER 12, 2019.PDF](#)

4. Old Business
5. New Business

5.I. Application For A Class A Liquor License And Amendments To The Class A Liquor License Classification - Hale Street Cantina - 109 N. Hale Street

Documents:

[HALE STREET CANTINA.PDF](#)

6. Adjournment



WHEATON LOCAL LIQUOR CONTROL COMMISSION MEETING MINUTES

WHEATON CITY HALL, 303 W WESLEY STREET, WHEATON, ILLINOIS 60187

December 12, 2019

I. CALL TO ORDER AND ROLL CALL VOTE

Chair Taylor called the December 12, 2019 meeting of the Local Liquor Control Commission meeting 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 Pearse, Commissioner Sender, Chair Taylor. Absent: Commissioner Brown and Commissioner Wolgemuth. City Staff Present: James P. Kozik, Director of Planning and Economic Development.

II. PUBLIC COMMENT

There was no public comment.

III. APPROVAL OF MINUTES – November 14, 2019

Commissioner Sender moved and Commissioner Pearse seconded a motion to approve the minutes of the November 14, 2019 Local Liquor Control Commission meeting as submitted. On a voice vote, all voted aye.

IV. NEW BUSINESS

2020 LICENSE RENEWALS / SECTION 6-90 OF THE WHEATON CITY CODE

Mr. Kozik stated that Section 6-90 of the Wheaton City Code requires that licensees found guilty of a violation in the previous year, must attend a liquor license renewal meeting before the Local Liquor Commission prior to a license renewal in order to describe for the Commission what steps have been taken by each licensee since their violation to ensure that future violations do not occur.

Mr. Kozik stated that on May 9, 2019, the Liquor Control Commission conducted three hearings in aggravation and mitigation with respect to the charges against Aldi, Jewel Osco #0283 and The Original Gino's East Pizzeria whereby liquor was sold to a person under the age of 21. Mr. Kozik stated that at the hearings, each licensee entered a plea of guilty and offered evidence on its behalf as to the circumstances surrounding the incident.

Mr. Kozik stated that the Mayor, as Liquor Commissioner, considered all the facts and circumstances entered into the record in this case as well as the recommendation of the Local Liquor Control Commission as to the penalty that should be imposed in this matter and found that each licensee was responsible for the violation of the Ordinance as charged by the Wheaton Police Department.

As a consequence of the violations, and in accordance with the Liquor Control Ordinance, Mr. Kozik stated the following fines were imposed: Aldi \$750, Jewel Osco #0283 \$1,000 and The Original Gino's East Pizzeria \$1,000.

Ms. Catherine Noline, store manager for Aldi, stated that since their violation, all of the cashiering staff has been retrained. In addition, Ms. Noline stated that a new policy has been implemented that requires manager approval when a vertical ID is presented.

Mr. Beeman, store manager for Jewel Osco, stated that since their violation, all 246 associates were retrained. Mr Beeman also stated that like Aldi, manager approval is now required when a vertical ID is presented.

Mr. James Dolan, owner of The Original Gino's East Pizza, stated that since their violation, all of the restaurant's servers have been retrained. In addition, the importance of checking IDs and verifying age is stressed at daily pre-shift meetings.

Members of the Commission stated they were pleased with the efforts these businesses put forward to ensure that future violations do not occur.

Hearing no further questions or comments, Commissioner Sender moved and Commissioner Pearse seconded a motion to recommend approval of the 2020 renewals for Aldi, Jewel Osco #0283 and The Original Gino's East Pizzeria to the City Clerk. On a roll call vote, all voted aye.

APPLICATION FOR A CLASS I LIQUOR LICENSE / BRINKER RESTAURANT CORPORATION /
CHILI'S GRILL & BAR / 240 DANADA SQUARE WEST

Ms. Leslie Brantley, store manager, was in attendance to present an application for a Class I Liquor License for Chili's Grill & Bar, 240 Danada Square West to the Commission. Ms. Brantley stated that Brinker Restaurant Corporation is purchasing the Wheaton Chili's and 115 others across the country from their current owner, ERJ Dining LLC.

Ms. Brantley stated that Brinker Restaurant Corporation intends to continue to operate the business with no significant planned changes that would impact operations or the sale of alcoholic beverages.

Ms. Brantley stated that all serving staff is BASSETT certified and that store policy requires that anyone who appears 30 years or younger get carded and that all vertical IDs that are presented require manager approval.

Hearing no further questions or comments, Commissioner Sender moved and Commissioner Pearse seconded a motion to recommend that a Class I Liquor License be issued to Chili's Grill & Bar, 240 Danada Square West. On a roll call vote, all vote aye.

V. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

VI. ADJOURNMENT

The meeting was adjourned at 7:25 P.M.

Respectfully submitted,

James P. Kozik, AICP
Director of Planning and Economic Development

MEMORANDUM

TO: Chair Taylor and Members of the Wheaton Liquor Commission
FROM: James P. Kozik, AICP Director of Planning and Economic Development
DATE: December 18, 2019
SUBJECT: Application for a Class A Liquor License and Amendments to the Class A Liquor License Classification - Hale Street Cantina - 109 N. Hale Street

Proposal

HFO entertainment LLC has submitted an application for a Class A Liquor License for their proposed restaurant, Hale Street Cantina, a 65 seat Mexican-American restaurant to be located at 109 N. Hale Street. The operator currently has three other existing restaurants located in Downtown Glen Ellyn, Naperville and St. Charles.

The operators experience in other suburban downtowns is causing him to seek an amendment to the hours of operation for Class A Licensees (minimum 25 seats), currently Monday – Sunday, 7am to 11pm so they will match the hours of operation for Class I Licensees (minimum 125 seats), currently Monday – Saturday, 7am to 1am and Sunday, 7am to 12 midnight.

In addition, if the change in hours of operation for Class A Licensees were to be approved, the operator is seeking an amendment to the Class A License Classification to allow for approval of a limited menu after 11pm; similar to what is afforded to Class I Licensees.

The proposed amendment would read as follows: *“Alcoholic liquor may be sold in a restaurant holding a Class A license only during the period when patrons of the licensee are offered a complete meal, or where a limited menu is offered after 11:00 p.m. which has been approved by the Local Liquor Commission.”*

The operator states that after normal dinner hours their food sales drop drastically. Having a smaller menu will allow them to cut down on labor costs since they will not need to staff a full kitchen. Attached to this memorandum is their proposed “Limited Menu”.

Recommendation

Attached for your review is the completed application and the accompanying information. At the January 9th Liquor Commission meeting, the Commission will need to review the application and ask any questions of the applicant.

Staff has no outstanding issues or concerns with regards to this application and foresees no problems with recommending approval of the proposed amendments and license to the applicant as they would provide consistency among the restaurant classes.

If the Local Liquor Commission recommends approval of the proposed amendments and Liquor License, the application will be placed on the January 20th City Council Agenda.

Attachment

c: Kevin Hahn