

**Village of East Dundee  
Local Liquor Control Commission  
Monday, May 6, 2019  
4:30 p.m.  
Police Station 2<sup>nd</sup> Floor Meeting Room  
115 E. 3<sup>rd</sup> Street, East Dundee, IL 60118**

**AGENDA**

- 1.0      Call to Order
  
- 2.0      Approval of Past Minutes
  - 2.1 Approval of March 18, 2019 Meeting Minutes
  
- 3.0      Old Business
  - None
  
- 4.0      New Business
  - 4.1 Hearing – Diamond Jim’s, 325 Meier Ave., East Dundee
  - 4.2 Hearing – Aliano’s Ristorante, 310 N. River St., East Dundee
  
- 5.0      Public Comment
  
- 6.0      Adjournment

**1.0 Call to Order**

President Miller calls to order the Local Liquor Control Commission meeting at 5:00 p.m.  
Roll: Trustees Wood, Andresen and President Miller.

Also in attendance are Village Administrator Jennifer Johnsen, Police Chief George Carpenter, Lieutenant Mike Governale, Associate Village Attorney Jason Guisinger and Village Clerk Katherine Holt.

**2.0 Approval of Past Minutes –**

**2.1 Approval of May 22, 2017 Meeting Minutes**

Motion to approve the May 22, 2017 Local Liquor Control Commission Meeting Minutes by Andresen/Wood.  
Motion carries by unanimous vote.

**3.0 Old Business - None**

**4.0 New Business**

**4.1 Hearing – Club Royal B&V, Inc., 940 Dundee Ave.**

A hearing was held to decide if Club Royal's liquor license shall be suspended, revoked, or if a fine should be levied for recent village liquor ordinance violations. Club Royal was cited on February 10, 2019 for the sale and service of alcoholic beverages on the premises after the required closing time of 2 a.m. and for permitting patrons to consume alcoholic beverages and remain on the premises after the required closing hours. Both the Village and the Licensee (represented by counsel) produced witnesses and introduced evidence on their own behalves.

The Liquor Commission recessed to Executive Session at 5:58 p.m. to discuss evidence and testimony presented in open hearing.

The Liquor Commission reconvened the Local Liquor Control Commission meeting at 6:17 p.m.

Roll: Trustees Wood, Andresen and President Miller.

Based on the evidence presented by the Village and the Licensee, the Commission has made the determination that the licensee is liable for both violations. The Commission has determined that the appropriate penalty is \$1,500.00 (\$750.00 for each violation) and a suspension of the liquor license for a period of seven (7) days. The suspension dates will be determined in the coming days.

Motion to order a penalty of a \$750.00 fine per violation and a seven day suspension of the liquor license by Andresen/Wood.

Roll: Ayes – 3 – Trustees Wood, Andresen and President Miller. Nays – 0. Absent – 0.

Motion carries.

**5.0 Public Comment - None**

**6.0 Adjournment**

Motion to adjourn the Liquor Commission Meeting at 6:19 p.m. by Miller/Wood.  
Meeting adjourns by unanimous vote.

Respectfully Submitted,

Katherine Holt

By: \_\_\_\_\_  
Village President, Lael Miller

Attest: \_\_\_\_\_  
Village Clerk, Katherine Holt

**BEFORE THE LOCAL LIQUOR CONTROL COMMISSION  
VILLAGE OF EAST DUNDEE, ILLINOIS**

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<b>IN THE MATTER OF THE REVOCATION, SUSPENSION OR OTHER PENALTIES IN REGARD TO THE LIQUOR LICENSE OF DIAMOND JIM'S</b>	<b>No. 19 LH 03</b>
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**NOTICE OF HEARING**

**TO: Diamond Jim's  
325 Meier Avenue  
East Dundee, Illinois 60118**

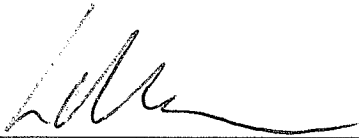
**PLEASE TAKE NOTICE** that on the 6<sup>th</sup> day of May, 2019, at the hour of 4:30 PM, a public hearing shall be held in the East Dundee Police Department located at 115 E. 3<sup>rd</sup> Street, East Dundee, Illinois, on the question of whether the retail alcoholic liquor license of **Diamond Jim's ("Licensee")**, located at **325 Meier Avenue**, East Dundee, Illinois ("Premises"), shall be suspended or revoked or whether a fine shall be levied for the reasons hereinafter set forth:

**COUNT I**

That on April 20, 2019 at 2:00 AM and for a time thereafter, the Licensee permitted patrons to consume alcoholic beverages in the Premises and allowed patrons to remain in the Premises after required closing hours, all of which occurred in violation of the Village of East Dundee Code of Ordinances, Title XI, Chapter 116, Section 116.08(L).

**PLEASE TAKE FURTHER NOTICE** that at said hearing, you may be represented by an attorney and you may produce witnesses and introduce evidence on your own behalf. If you fail to appear for the hearing, a determination of liability and imposition of a penalty including, without limitation, the suspension or revocation of your Village of East Dundee liquor license

and/or the imposition of a monetary fine, will be made by default and without further notice to you.



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Lael Miller  
Local Liquor Control Commissioner  
Village of East Dundee

**CERTIFICATE OF SERVICE**

I hereby certify that I served a copy of the foregoing Notice of Hearing upon **Diamond Jim's, 325 Meier Avenue**, East Dundee, Illinois 60118, by personal delivery, on 4-24-19, 2019, at 1045 <sup>A</sup>.m.

*David L. Aotes*  
Print Name: DAVID L. AOTES

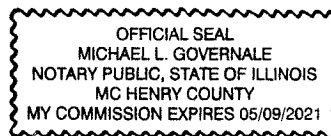
Dated: 04-24, 2019

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 24 day of APRIL, 2019.

*Michael Governale*

Notary Public



Received By: \_\_\_\_\_

Print Name: Michael Governale

Received by Diamond Jim's Representative:

*Linda M. Perillo*

Print Name: Linda M. Perillo

Dated: 4/24/19, 2019



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## EAST DUNDEE POLICE DEPARTMENT MEMORANDUM

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**TO:** East Dundee Liquor Commission

**FROM:** George Carpenter, Chief of Police

**SUBJECT:** Diamond Jim's Liquor Violation

**DATE:** May 2, 2019

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### Background

On April 20, 2019 at 2:00am Sgt. John Haase and Officer Kevin Lawson observed that people were still inside Diamond Jim's Bar, located at 325 Meier Ave. They recognized this as a possible violation, so they approached on foot. Upon entering the bar they observed some people standing near the bar, some playing the video gambling machines and at least one patron holding a beer.

Sgt. Haase spoke with the owner, Jeffrey Lambert to advise him that every patron must be removed from the bar by or before 2:00am. Sgt. Haase further advised him that this has been a recurring problem at his bar and he (Haase) knows he has been warned at least four times in the past.

### Discussion

The ordinance adopted on February 19, 2019 sets a fine for a first violation, if found guilty, to be \$25-\$5,000. I know of no prior violations referred to the Liquor Commission for this establishment.



# EAST DUNDEE POLICE DEPARTMENT CASE REPORT

Case#

**2019-00001843**

115 East Third Street  
East Dundee, IL 60118

<b>EVENT</b>	REPORTED DATE/TIME	INCIDENT TYPE	COUNTY
	<b>4/20/2019 02:00</b>	<b>Liquor Law Violation</b>	<b>Kane</b>
	OCURRED FROM DATE/TIME	OCURRED TO DATE/TIME	LOCATION OF OCCURRENCE
	<b>04/20/2019 02:00</b>	<b>04/20/2019 02:00</b>	<b>325 MEIER Ave East Dundee, Il 60118</b>

<b>OFFENSE</b>	STATUS DESCRIPTION	COUNTS	ATTEMPT/COMMIT
	<b>IL0450400\2250 \116.09-D\Alcohol Consumption of Alcohol After Hours - Business Violation</b>	<b>1</b>	<b>Commit</b>
	OFFENSE DATE	SIGNIFICANT EVENT	
	<b>04/20/2019</b>		

<b>SUBJECT</b>	SUBJECT TYPE		SUBJECT SUB TYPE		DOMESTIC VIOLENCE REFERRAL						
	<b>Employee</b>										
	JACKET TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)								
	<b>Business</b>		<b>LAMBERT, JEFFREY, J</b>								
	ADDRESS					DOB	AGE	SEX	RACE	HEIGHT	WEIGHT
	<b>325 MEIER Ave</b>					<b>02/17/1984</b>	<b>35</b>	<b>M</b>	<b>W</b>		
	CITY/STATE/ZIP					EYES		HAIR			
	<b>East Dundee, IL, 60118</b>										
	PRIMARY PHONE			TYPE		SECONDARY PHONE			TYPE		
	<b>(847)800-9927</b>			<b>Cell Phone</b>							
	DL NUMBER/STATE					OTHER PHONE			TYPE		
	SCHOOL/EMPLOYER					SCHOOL/EMPLOYER PHONE					
	SCHOOL/EMPLOYER ADDRESS										
INJURY TYPES					TRANSPORTED BY			HOSPITAL			
BUILD	COMPLEXION	HAIR STYLE	HAIR LENGTH	FACIAL HAIR	PRIMARY LANGUAGE						
					<b>English</b>						
CLOTHING DESCRIPTION (LAST SEEN WEARING)											

<b>SUBJECT</b>	SUBJECT TYPE		SUBJECT SUB TYPE		DOMESTIC VIOLENCE REFERRAL						
	JACKET TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)								
	ADDRESS					DOB	AGE	SEX	RACE	HEIGHT	WEIGHT
	CITY/STATE/ZIP					EYES		HAIR			
	PRIMARY PHONE			TYPE		SECONDARY PHONE			TYPE		
	DL NUMBER/STATE					OTHER PHONE			TYPE		
	SCHOOL/EMPLOYER					SCHOOL/EMPLOYER PHONE					
	SCHOOL/EMPLOYER ADDRESS										
INJURY TYPES					TRANSPORTED BY			HOSPITAL			
BUILD	COMPLEXION	HAIR STYLE	HAIR LENGTH	FACIAL HAIR	PRIMARY LANGUAGE						
CLOTHING DESCRIPTION (LAST SEEN WEARING)											

REPORTING OFFICER	DATE	REVIEWED BY
<b>Lawson #110</b>	<b>4/20/2019</b>	<b>Haase, John T</b>





**EAST DUNDEE POLICE DEPARTMENT  
CASE REPORT**

115 East Third Street  
East Dundee, IL 60118

Case#

**2019-00001843**

**NARRATIVE**

On 04/20/19 at 0200 hours, Sgt. Haase and I observed several people inside Diamond Jim's. Upon approach many were standing near the bar, some were on the gambling machines and at least one person(M/W) was holding a beer. That subject made eye contact Sgt. Haase, walked over and placed the beer on the bar. We also observed employees hastily removing people from the business as we approached. Sgt. Haase spoke with employee Jeffery Lambert and advised him that patrons needed to be removed from inside the business before 0200 hours. Jeffery claimed that if people had an Uber coming, it was okay for them to be inside. Sgt. Haase advised him that he has been warned on multiple occasions(at least 4) and that he has personally told him.

Sgt. Haase's dash camera was activated and was directed towards the entrance of Diamond Jim's and shows multiple people exiting the bar after hours.

This incident will be referred to the liquor commission for review.

REPORTING OFFICER

**Lawson #110**

DATE

**4/20/2019**

REVIEWED BY

**Haase, John T**

**BEFORE THE LOCAL LIQUOR CONTROL COMMISSION  
VILLAGE OF EAST DUNDEE, ILLINOIS**

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<b>IN THE MATTER OF THE REVOCATION, SUSPENSION OR OTHER PENALTIES IN REGARD TO THE LIQUOR LICENSE OF ALIANO'S RESTAURANT</b>	<b>No. 19 LH 02</b>
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**NOTICE OF HEARING**

**TO: Aliano's Restaurant  
310 N. River Street  
East Dundee, Illinois 60118**

**PLEASE TAKE NOTICE** that on the **6<sup>th</sup> day of May, 2019, at the hour of 5:00 PM,** a public hearing shall be held in the East Dundee Police Department located at 115 E. 3<sup>rd</sup> Street, East Dundee, Illinois, on the question of whether the retail alcoholic liquor license of **Aliano's Restaurant ("Licensee")**, located at 310 N. River Street, East Dundee, Illinois ("Premises"), shall be suspended or revoked or whether a fine shall be levied for the reasons hereinafter set forth:

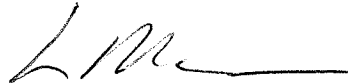
**COUNT I**

That on March 9, 2019 at approximately 11:00 AM, an employee of the Licensee sold and served alcoholic beverages outside of the Premises and on the public street, which is contrary to the powers granted in the Licensee's local liquor license for the Premises and, therefore, in violation of the Village of East Dundee Code of Ordinances, Title XI, Chapter 116, Section 116.08(G).

**COUNT II**

That on March 9, 2019 at approximately 11:00 AM, an employee of the Licensee served alcoholic beverages to persons for consumption on the streets of the Village in violation of the Village of East Dundee Code of Ordinances, Title XI, Chapter 116, Section 116.08(H).

**PLEASE TAKE FURTHER NOTICE** that at said hearing, you may be represented by an attorney and you may produce witnesses and introduce evidence on your own behalf. If you fail to appear for the hearing, a determination of liability and imposition of a penalty including, without limitation, the suspension or revocation of your Village of East Dundee liquor license and/or the imposition of a monetary fine, will be made by default and without further notice to you.



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Lael Miller  
Local Liquor Control Commissioner  
Village of East Dundee

**CERTIFICATE OF SERVICE**

I hereby certify that I served a copy of the foregoing Notice of Hearing upon **Aliano's Restaurant, 310 N. River Street**, East Dundee, Illinois 60118, by certified mail, return receipt requested, on April 17, 2019, before 5:00 p.m.

Katherine Holt

Print Name: Katherine Holt

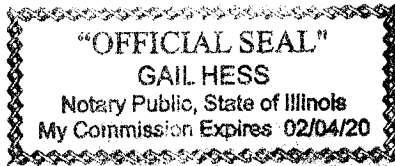
Dated: April 17, 2019

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 17 day of APRIL, 2019.

Gail Hess

Notary Public





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## EAST DUNDEE POLICE DEPARTMENT MEMORANDUM

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**TO:** LIQUOR COMMISSION  
**CC:** JENNIFER JOHNSEN, VILLAGE ADMINISTRATOR  
**FROM:** GEORGE CARPENTER, CHIEF OF POLICE  
**SUBJECT:** ALIANO'S LIQUOR VIOLATION  
**DATE:** APRIL 9, 2019

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### **Background**

On March 9, 2019 during the St. Patrick's Day Parade at approximately 11:00am, The East Dundee Police received a report from the parade organizer that Aliano's was selling alcohol from its own property directly to pedestrians on the public sidewalk. I walked over from the command post at the P.D. and an officer was also dispatched.

When I arrived I could see sales occurring as reported. I walked through the main door and asked to see the owner. I introduced myself to James Seng and advised him of the violation. He immediately told me he was unaware that this activity violated Ordinance. We walked into the tented area and he directed the sales to stop. I saw Jameson whiskey and beer on the table, with two employees selling and delivering the alcohol to persons on the sidewalk.

Officer David Antes arrived and joined us. The three of us discussed the violation, with Mr. Seng saying he was not aware this was a violation and former Police Chief Terry Mee had given him permission to sell liquor in this manner. I told him the Village had sent him a letter recently which outlined the ordinance prohibiting this activity. He said he did not receive such a letter.

### **Discussion**

Mr. Seng did promptly terminate the sales of liquor when I advised him of the violation and he pledged future compliance with this, and all other Village Liquor Ordinances.

Village Clerk Katherine Holt gave me a copy of the letter she had sent to Mr. Seng dated February 25, 2019. (Attached) Also attached is the report written by Officer Antes.

As per the ordinance adopted on February 19, 2019, the fine structure for this violation, if found guilty, is \$25-\$5,000 for a first offense. I could find no prior liquor violations involving Aliano's Ristorante.



# EAST DUNDEE POLICE DEPARTMENT CASE REPORT

115 East Third Street  
East Dundee, IL 60118

Case#

2019-00001097

<b>EVENT</b>	REPORTED DATE/TIME	INCIDENT TYPE	COUNTY
	03/09/2019 11:09	Liquor Law Violation	Kane
	OCURRED FROM DATE/TIME	OCURRED TO DATE/TIME	LOCATION OF OCCURRENCE
	03/09/2019 11:00	03/09/2019 11:00	310 N River St 

<b>OFFENSE</b>	STATUE DESCRIPTION		COUNTS	ATTEMPT/COMMIT
	OFFENSE DATE	SIGNIFICANT EVENT		

<b>SUBJECT</b>	SUBJECT TYPE		SUBJECT SUB TYPE		DOMESTIC VIOLENCE REFERRAL						
	<b>Complainant</b>										
	JACKET TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)								
	<b>Adult</b>		<b>McNamee, Eileen</b>								
	ADDRESS					DOB	AGE	SEX	RACE	HEIGHT	WEIGHT
								<b>M</b>	<b>W</b>		
	CITY/STATE/ZIP					EYES		HAIR			
	PRIMARY PHONE			TYPE		SECONDARY PHONE			TYPE		
	<b>(630)750-5005</b>			<b>Cell Phone</b>							
	DL NUMBER/STATE					OTHER PHONE			TYPE		
SCHOOL/EMPLOYER								SCHOOL/EMPLOYER PHONE			
SCHOOL/EMPLOYER ADDRESS											
INJURY TYPES					TRANSPORTED BY			HOSPITAL			
BUILD	COMPLEXION	HAIR STYLE	HAIR LENGTH	FACIAL HAIR	PRIMARY LANGUAGE						
					<b>English</b>						
CLOTHING DESCRIPTION (LAST SEEN WEARING)											

<b>SUBJECT</b>	SUBJECT TYPE		SUBJECT SUB TYPE		DOMESTIC VIOLENCE REFERRAL						
	<b>Employer</b>										
	JACKET TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)								
	<b>Adult</b>		<b>Seng, James, F</b>								
	ADDRESS					DOB	AGE	SEX	RACE	HEIGHT	WEIGHT
	<b>3060 Wagner</b>					<b>10/14/1965</b>	<b>53</b>	<b>M</b>	<b>W</b>		
	CITY/STATE/ZIP					EYES		HAIR			
	<b>Aurora, IL,</b>										
	PRIMARY PHONE			TYPE		SECONDARY PHONE			TYPE		
	<b>(847)844-0528</b>			<b>Work</b>							
	DL NUMBER/STATE					OTHER PHONE			TYPE		
SCHOOL/EMPLOYER								SCHOOL/EMPLOYER PHONE			
SCHOOL/EMPLOYER ADDRESS											
INJURY TYPES					TRANSPORTED BY			HOSPITAL			
BUILD	COMPLEXION	HAIR STYLE	HAIR LENGTH	FACIAL HAIR	PRIMARY LANGUAGE						
					<b>English</b>						
CLOTHING DESCRIPTION (LAST SEEN WEARING)											

REPORTING OFFICER	DATE	REVIEWED BY
<b>Antes #100</b>	<b>03/09/2019</b>	



**EAST DUNDEE POLICE DEPARTMENT  
CASE REPORT**

115 East Third Street  
East Dundee, IL 60118

Case#

**2019-00001097**

**NARRATIVE**

**Radio Assigned: I was dispatched to Aliano's Restaurant 310 N River St for a report of liquor being dispensed without permission or a license.**

**Complainant McNamee, Eileen contacted Lt. Governale to advise that she observed Jameson Whiskey along with beer being served outside Aliano's restaurant to patrons attending the parade.**

**I met with the owner of Aliano's Seng, James F M/W 10-14-65 that advised me in the past he was allowed to sell liquor from his restaurant to the patrons out on the street, and thought the same was true for this year.**

**I advised Seng that a special permit was needed to dispense alcohol and that he needed to stop of selling alcohol on the street immediately. Mr. Seng advised he would comply removing all liquor from the public view,**

REPORTING OFFICER

**Antes #100**

DATE

**03/09/2019**

REVIEWED BY