

1.0 Call to Order

President Bartels calls to order the Liquor Control Commission Meeting at 6:00 pm.

Roll: Michael Ruffulo, Paul VanOstenbridge and President Bartels.

Motion to amend the agenda to add item number 3.1, a request for live entertainment from the Fire Department by Ruffulo/VanOstenbridge.

Roll: 3 Ayes (Ruffulo, VanOstenbridge, President Bartels), 0 Nays, Motion carries.

2.0 Approval of Past Minutes

Motion to approve Liquor Commission meeting minutes dated May 15, 2006, June 5, 2006 and June 19, 2006 by Ruffulo/VanOstenbridge.

Roll: 3 Ayes (Ruffulo, VanOstenbridge, President Bartels), 0 Nays, Motion carries.

3.0 Correspondence

Motion to approve the Fire Department's request for live entertainment at the 82nd Annual Festival on Friday and Saturday, July 21st and 22nd from 7 pm – 11:45 pm and Sunday July 23rd from 1 pm – 7 pm by Ruffulo/VanOstenbridge.

Roll: 3 Ayes (Ruffulo, VanOstenbridge, President Bartels), 0 Nays, Motion carries.

4.0 Audience Business

Howard Burton – 14 Railroad Street

States his concern regarding the number of liquor licenses the Village is allowing. He also feels that it is inappropriate for a gas station to sell liquor.

Dennis Schultz – 427 Rosalyn

Also states his concerned about the number of liquor licenses being issued. He doesn't feel that it is positive for the town and doesn't want patrons to start parking in residential areas.

Chief Pena states that there are 25 licenses available in several categories and the Village currently has requests for 17 licenses. Mr. Fowler is the only person that has a valid application filed. If there are no licenses available, the person making the request for a license has to come in front of the Board. The Liquor Commission controls live entertainment requests and can also revoke these privileges.

Heather Baumann – 325 Meier – Diamond Jim's

Asks the Board to refrain from stricter guidelines on businesses that can survive in the downtown area.

Chief Pena states that businesses in the business district would have to provide parking spaces for patrons, but that is not the case in the Historic District.

Frank Scarpelli – 9 Summit, East Dundee

States that the B-1 district does not require any parking for businesses, however, all other business districts in the Village do require parking based on a ratio of the square footage of floor area to store.

5.0 Reports from Police Department - None

6.0 Hearing of Withdrawals or Continuances of Hearings - None

7.0 Liquor Hearings

7.1 Armando Morales, Cha Cha Cha's, 16 E. Main St. Re: October 11, 2005 Liquor Law Violation.

Chief Pena states that there was sting operation with the State Police. All violators attended a meeting, agreed to plead guilty and pay \$1000 fine. Cha Cha Cha's did not apply for a new Liquor License. The Chief invited Mr. Morales to attend this evening's meeting to discuss the money that is owed; however,

he is not here. The Chief states that one of the requirements of a liquor establishment is to put up a \$5,000 surety bond in the event they owe money to the Village. His recommendation is to file the necessary paperwork with the bonding company to recover the money owed.

Motion made by Bartels/Ruffulo stating that the Village use the \$5,000 surety bond to collect the necessary fees owed to the Village based on October 11, 2005 Liquor Law Violation by Cha Cha Cha's. Roll: 3 Ayes (Ruffulo, VanOstenbridge, President Bartels), 0 Nays, Motion carries.

8.0 Old Business - None

9.0 New Business

9.1 Jay Pastakia, East Dundee Marathon, 305 E. Main St. Request for B-2 Package Liquor. (Currently have 1 license issued, - 1 total allowed)

Chief Pena states that at this time, the Village already has a commitment for a second license, therefore, the Board needs to decide if they would like to increase the number of packaged liquor licenses allowed. The State Liquor Commission will waive any requirements if the municipality grants a license, however, within 90 days someone from the State will come out to inspect the site and if it doesn't meet their requirements they will revoke the license. Mr. Pastakia meets the minimum 100-foot door-to-door rule, as his establishment's door is 167 feet in distance from the Church's door. Mr. Pastakia states he would like to obtain this license as his business has been suffering due to the high gas prices. He introduces Jerry Rosen who is the Executive Director and the legislative liaison for the Beverage Retailers Alliance of Illinois. He states that Mr. Pastakia would like to do the logical thing and enhance his business by selling beer and wine and feels that this is a natural add-on sale. Mr. Pastakia states that his store is 1500 square feet. Chief Pena states that the B-2 license says there should be a total of 2,000 square feet of open public retail sales before the Board can consider a license. The Chief will work with him on this. Lastly, Mr. Pastakia presents a letter of approval from the Church.

Motion to table agenda item 9.1 until the next Liquor Commission meeting so Chief Pena can visit with this establishment by Bartels/Ruffulo.

Roll: 3 Ayes (Ruffulo, VanOstenbridge, President Bartels), 0 Nays, Motion carries.

9.2 Chuck Fowler, Mason's Martini & Grille, 100/102 N. River St. Request for a Class E License. (Currently have 1 license issued - 3 total allowed)

Chief Pena states the Mr. Fowler approached the Village and has applied for a Class E Liquor License. This would require that the establishment seat 100 patrons. Mr. Fowler states that he would like to open Mason's, which will be an upscale restaurant, and is partnering with the Lavender Café chef. They plan to go through the wall of Lavender Café and also hope to use the second floor. Chief Pena feels that this remains an issue until the Board sees the plans, as the Liquor License and Ordinance do not account for mergers. The Chief states that if Mr. Fowler qualifies for the E License, the Board will require the necessary drawings by the August 21st meeting for any possibility of obtaining a license by September. President Bartels states Mr. Fowler needs to submit a plan, as the Liquor Commission is only one hurdle in the process. Chief Pena suggests that Mr. Fowler get together with the Building Department and show them the prints and seating availability. This will need to be sent to legal, as the Chief is unsure if the buildings can be merged. President Bartels suggests that the Mr. Fowler make an appointment with the Village Manager and the Building Inspector, explain the timelines and get things in order. Mr. Fowler will be placed on the agenda for the next Liquor Commission meeting.

10.0 Adjournment

Motion to close the Liquor Commission meeting by Ruffulo/VanOstenbridge at 7:00 pm.

Roll: 3 Ayes (Ruffulo, VanOstenbridge, President Bartels), 0 Nays, Motion carries.

Liquor Commission Meeting
Village of East Dundee
Kane County, Illinois
July 17, 2006

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Respectfully Submitted,
Susan Norton

By: *Jerald Bartels*
President Jerald Bartels

Attest: *Susan Norton*
Village Clerk Susan Norton

