

**PUBLIC MEETING NOTICE AND AGENDA
VILLAGE OF HUNTLEY
LIQUOR COMMISSION HEARING**

**THURSDAY, JANUARY 22, 2015
7:00 P.M.**



1. Call to Order
2. Public Comments
3. Items for Consideration
 - a) Complaint – Best Price Tobacco and Gifts / 11717 Main Street
 - b) Complaint – Tee 2 Green Indoor Golf / 11173 Dundee Road
4. Executive Session
5. Possible Action on Any Closed Session Item
6. Other Business
7. Adjournment

MEETING LOCATION
10987 Main Street
Huntley, IL 60142

The Village of Huntley is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, are requested to contact Mr. David Johnson, Village Manager at 847-515-5200. The Village Board Room is handicap accessible.



David J. Johnson, Village Manager

Agenda Item: **Complaint – Best Price Tobacco and Gifts / 11717 Main Street**
 Complaint – Tee 2 Green Indoor Golf / 11173 Dundee Road

Department: **Police Department**

Introduction

On December 10, 2014, the Police Department conducted an alcohol compliance check of all liquor license retailers within the Village of Huntley. Approximately thirty days prior to the compliance check, a letter was sent to all licensed liquor establishments informing them of the upcoming compliance check. A nineteen year old male was used to conduct these checks, given instruction on the proper procedures and accompanied by a Police Detective.

Best Price Tobacco and Gifts

On December 10, 2014, the nineteen year old male entered Best Price Tobacco and Gifts and purchased a six pack of Miller Lite from the sales clerk. The Detective then approached the clerk and issued a violation for Section 110.12(A) Sales to a Minor.

Tee 2 Green Indoor Golf

On December 10, 2014, the nineteen year old male entered Tee 2 Green Indoor Golf, ordered and received a Miller Lite from the bartender. The Detective then approached the bartender and issued a violation for Section 110.12(A) Sales to a Minor.

Section 110.12(a) *It shall be unlawful for any person under the age of 21 years to purchase or obtain alcoholic liquor in any tavern or any place in the Village where alcoholic liquor is sold.*

Staff Analysis

A Notice of Hearing has been delivered to Best Price Tobacco and Gifts and Tee 2 Green Indoor Golf to appear before the Huntley Liquor Commission. Pursuant to the Village of Huntley Liquor Control Ordinance the penalty provisions are as follows:

Section 110.52 (c) *The sale of alcoholic liquor to minors or to other persons to whom the sale is prohibited by this chapter shall be cause for suspension of any license hereunder for not less than five days or for revocation hereunder as may be determined by the President and Board of Trustees of the Village.*

Section 110.99 Penalty

- (a) *Any person, firm or corporation violating the provisions of this chapter shall be fined not less than \$25 nor more than \$1,000 for each offense. A separate offense shall be deemed committed on each day during which a violation occurs or continues.*
- (b) *In addition to the foregoing penalty any person, firm or corporation violating the provisions of this chapter may suffer the penalty of having his license revoked for any such violation. The revocation shall be signed by the Chairman of the Liquor Control Commission.*

A review of liquor files disclosed no previous violation for either license holder.

Legal Analysis

The Village Attorney has reviewed the complaint documents and all is in order for consideration by the Liquor Commission.

Action Requested

Action is requested of the Liquor Commission on the complaints filed for:

- a) Best Price Tobacco and Gifts / 11717 Main Street
- b) Tee 2 Green Indoor Golf / 11173 Dundee Road

Exhibits

- Complaint & Notice – Best Price Tobacco and Gifts / 11717 Main Street
- Complaint & Notice – Tee 2 Green / 11173 Dundee Road
- Liquor Violation History Spreadsheet

LIQUOR CONTROL COMMISSION
VILLAGE OF HUNTLEY
MCHENRY COUNTY, ILLINOIS

COMPLAINT

Detective Charles McGrath (hereinafter called "COMPLAINANT"), being sworn on oath, states as follows:

On December 10, 2014, at approximately 6:40 p.m., Best Price Tobacco and Gifts, located at 11717 Main Street, Huntley, Illinois 60142 (hereinafter called the "RESPONDENT"), committed a violation of §112.12(A) of the Code of Ordinances of the Village of Huntley and §235 I.L.C.S. 5/6-16 of the Illinois Liquor Control Act in that, Elizabeth Strauss, an employee and agent of RESPONDENT sold one six pack of Miller Lite, an alcoholic liquor, to an individual under the age of twenty-one years and did so after looking at identification identifying the individual as being born in 1995, making the individual 19 years of age. COMPLAINANT therefore requests that due notice be served upon the RESPONDENT and that a hearing be held in accordance with the Code of Ordinances of the Village of Huntley, McHenry County and in accordance with the laws of the State of Illinois.


#349
Detective Charles McGrath

SUBSCRIBED and SWORN to before
me this 22 day of December, 2014


NOTARY PUBLIC



LIQUOR CONTROL COMMISSION
VILLAGE OF HUNTLEY
MCHENRY COUNTY, ILLINOIS

COMPLAINT

Detective Charles McGrath (hereinafter called "COMPLAINANT"), being sworn on oath, states as follows:

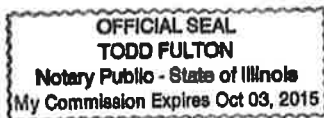
On December 10, 2014, at approximately 5:20 p.m., Tee 2 Green Indoor Golf LLC, located at 11173 Dundee Road, Huntley, Illinois 60142 (hereinafter called the "RESPONDENT"), committed a violation of §112.12(A) of the Code of Ordinances of the Village of Huntley and §235 I.L.C.S. 5/6-16 of the Illinois Liquor Control Act in that, Pamela Tintner, an employee and agent of RESPONDENT sold one bottle of Miller Lite, an alcoholic liquor, to an individual under the age of twenty-one years and did so after looking at identification identifying the individual as being born in 1995, making the individual 19 years of age. COMPLAINANT therefore requests that due notice be served upon the RESPONDENT and that a hearing be held in accordance with the Code of Ordinances of the Village of Huntley, McHenry County and in accordance with the laws of the State of Illinois.



Detective Charles McGrath

SUBSCRIBED and SWORN to before
me this 22 day of December, 2014



NOTARY PUBLIC

Liquor Violations						
Date	Establishment	Violation	Fines	Suspensions	Establishments can remain open but no sale of alcohol is allowed	
10.18.01	Parkside Food & Spirits	serving a minor	\$400	5 days		
	Kelly's Huntley Pub & Pizzeria	serving a minor	\$400	5 days		
	Huntley Supermarket	serving a minor	\$400	5 days		
	Armanetti's Wine & Liquor*	serving a minor	\$800	10 days		
	Del Toro's Mexican American Grill	serving a minor	\$400	5 days		
	<i>*Second offense</i>		<i>Fines are due within 14 days</i>			
08.22.02	Parkside Tap	gambling	\$1,000	no suspension		
			<i>Fine due within 7 days</i>			
10.24.02	Eagle Inn	serving a minor	\$400	5 days		
	Walleye Grill / Del Webb	serving a minor	\$500**	5 days		
			<i>Fines due within 7 days</i>			
			<i>**Add'l \$100 due to a request for deferral of suspension</i>			
01.17.08	Jewel Food	serving a minor	\$400	5 days		
	Soula's Village Inn	serving a minor	\$400	5 days		
	Parkside Tap	Multiple violations	requested a hearing -			
	1. With Respect to the charge that Respondent violated Section 110.07 of the Village of Huntley Liquor Control Ordinance, Respondent is found guilty.					
	2. With respect to the charge that Respondent violated Section 110.12(A) of the Village of Huntley Liquor Control Ordinance, Respondent is found not guilty.					
	3. With respect to the charge that Respondent violated Section 110.12(A)(1) of the Village of Huntley Liquor Control Ordinance, Respondent is found guilty.					
	4. With respect to the charge that Respondent violated Section 110.13 of the Village of Huntley Liquor Control Ordinance, Respondent is found not guilty.					
	5. With regard to the violation of Section 110.07, Respondent is fined \$1,000.00.					
	6. With regard to the violation of Section 110.12(A)(1), Respondent is fined \$1,000.00.					
	7. The fines assessed pursuant to the terms of this Order must be paid to the Village of Huntley on or before March 12, 2008 at 5:00 p.m.					
03.27.08	Huntley Food & Liquor	serving a minor (4 counts)	\$3,200	20 days		
02.05.09	Niko's Grill and Pub	serving a minor	\$500	5 days		
12.17.13	Huntley Food & Liquor (new owner)	serving a minor	\$400	5 days		