

**VILLAGE OF HUNTLEY
LIQUOR COMMISSION HEARING
July 23, 2015
MINUTES**

CALL TO ORDER:

A meeting of the Huntley Liquor Commission was called to order on Thursday, July 23, 2015 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main Street, Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Chairman Charles Sass; Commissioners: Ronda Goldman, Tim Hoeft (arrived at 7:05 p.m.), Niko Kanakaris, Harry Leopold, John Piwko and JR Westberg.

ABSENT: None

IN ATTENDANCE: Village Manager David Johnson, Assistant Village Manager Lisa Armour, Management Assistant Barbara Read and Village Attorney Mike Coppedge.

PUBLIC COMMENTS: None

ITEMS FOR CONSIDERATION:

- A. Consideration of an Ordinance for the Approval and Issuance of a Class “E” Liquor License; Huntley Park Foundation / 2015 Huntley Fall Fest

Chairman Sass reported that review and discussion of this agenda item took place at the July 16, 2015 Committee of the Whole Meeting and asked if the Liquor Commissioners had additional comments or questions; there were none.

A MOTION was made to approve an Ordinance for the Approval and Issuance of a Class “E” Liquor License; Huntley Park Foundation / 2015 Huntley Fall Fest.

MOTION: Commissioner Goldman
SECOND: Commissioner Kanakaris
AYES: Commissioners: Goldman, Kanakaris, Leopold, Piwko and Westberg
NAYS: None
ABSENT: Commissioner Hoeft
The Motion Carried: 5-0-1

- B. Approval of Liquor License Surrender and Liquor Code Amendment:
 - i. Consideration of the Acceptance of the Surrender of a Class “A” Liquor License – Marsala’s Italian Kitchen; 11900 Freeman Road
 - ii. Consideration of an Ordinance Amending the Village of Huntley Liquor Control Ordinance Section 110.24 – Limitation on Licenses, repealing one Class “A” Liquor License

Chairman Sass reported that the Village received notification that Marsala’s Italian Kitchen will no longer be operating at 11900 Freeman Road. Marsala’s was approved for a Class “A” liquor license.

Staff Analysis

The Liquor Commission is requested to amend the Village of Huntley Liquor Code of Ordinances to reduce the number of available Class “A” liquor licenses appropriately. Currently there are eleven (11) Class “A” liquor license holders:

1. Bricks & Ivy LLC d/b/a Parkside Pub
2. Brunch Cafe
3. Jameson’s Huntley (Del Webb Restaurant)
4. Marsala’s Italian Kitchen
5. Offie’s Tap
6. Pub 47
7. Sal’s Pizzeria
8. Sammy’s Restaurant
9. Soula’s Village Inn
10. Tee 2 Green Indoor Golf LLC
11. Triple K & B; d/b/a Rookies 3

The amendment is being requested to reduce the number of Class “A” licenses from eleven (11) to ten (10). The Village should not have any vacant liquor licenses available. As qualified applicants request a liquor license, licenses then can be added as needed.

The Class “A” license allows for retail sale and consumption on the premise and retail sale and take-out of alcoholic liquor in the original package.

Chairman Sass asked the Commission if they had any comments or questions; there were none.

A MOTION was made to accept the surrender of a Class “A” liquor license from Marsala’s Italian Kitchen; 11900 Freeman Road and approve an ordinance amending the Village of Huntley Liquor Control Ordinance Section 110.24 repealing one Class “A” liquor license.

- MOTION: Commissioner Leopold**
- SECOND: Commissioner Piwko**
- AYES: Commissioners: Goldman, Kanakaris, Leopold, Piwko and Westberg**
- NAYS: None**
- ABSENT: Commissioner Hoeft**
- The Motion Carried: 5-0-1**

A MOTION was made to approve an Ordinance Amending the Village of Huntley Liquor Control Ordinance Section 110.24 – Limitation on Licenses, repealing one Class “A” Liquor License.

- MOTION: Commissioner Leopold**
- SECOND: Commissioner Piwko**
- AYES: Commissioners: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg**
- NAYS: None**
- ABSENT: None**
- The Motion Carried: 6-0-0**

C. Consideration of an Ordinance Amending the Huntley Code of Ordinances – Business Regulations 110.24 – Limitation on Licenses – Adding one (1) Class “A” Licenses – Liquor Control Ordinance

Chairman Sass reported that the Village of Huntley regulates the sale of alcoholic beverages in the Village through its Liquor Control Ordinance which provides for the issuance of certain classes of liquor licenses and establishes the number of licenses available in each class.

Staff Analysis

Consideration is being requested to amend the Liquor Control Ordinance to make available eleven (11) Class “A” licenses instead of ten (10) in order to provide for the applications from Coffee House Holdings, Inc. d/b/a Starbucks; 12210 Princeton. The application has been reviewed by Staff and all is in order for consideration.

The Class “A” license shall permit the retail, sale on the premises specified, of alcoholic liquor, for consumption on the premises, as well as other retail sale of alcoholic liquor in the original package. Listed below are the current licensed establishments with a Class “A” license:

1. Bricks & Ivy LLC d/b/a Parkside Pub
2. Brunch Cafe
3. Jameson’s Huntley (Del Webb Restaurant)
4. Offie’s Tap
5. Pub 47
6. Sal’s Pizzeria
7. Sammy’s Restaurant
8. Soula’s Village Inn
9. Tee 2 Green Indoor Golf LLC
10. Triple K & B; d/b/a Rookies 3

Financial Impact

The fee received for a yearly Class “A” License is \$950.00.

Legal Analysis

Section 110.24 of the Village Code of Ordinances limits the number of available licenses in each class. There is no available Class “A” license; therefore, if the Liquor Commission elects to issue a license to Coffee House Holdings, Inc d/b/a Starbucks the Commission must create one (1) additional Class “A” license.

Chairman Sass asked if the Commission had any comments or questions; there were none.

A MOTION was made to approve an Ordinance Amending the Huntley Code of Ordinances – Business Regulations 110.24 – Limitation on Licenses, Adding one (1) Class “A” License – Liquor Control Ordinance.

- MOTION: Commissioner Piwko**
- SECOND: Commissioner Leopold**
- AYES: Commissioners: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg**
- NAYS: None**
- ABSENT: None**
- The Motion Carried: 6-0-0**

- D. Consideration of an Ordinance Approving the Issuance of a Class “A” Liquor License to Coffee House Holdings, Inc. d/b/a Starbucks; 12210 Princeton Drive

Chairman Sass reported that the Village of Huntley regulates the sale of alcoholic beverages in the Village through its Liquor Control Ordinance, which provides for the issuance of certain classes of liquor licenses and establishes the number of licenses available in each class.

Staff Analysis

The Village is in receipt of an application for a Class “A” liquor license from Coffee House Holdings, Inc. d/b/a Starbucks (Starbucks). Starbucks introduced a new program in 2010 called Starbucks Evenings. The program was launched at several of their stores throughout the United States and was very well received. Starbucks Evenings offers wine and beer only. Village of Huntley Code states that Class “A” license holders may start serving at 6:00am on Monday through Saturday and at 11:00am on Sunday; however, Starbucks intentions are to serve only after 2:00 pm on weekdays and after 12:00 pm on Saturday and Sundays and will end when the store closes, which is typically 10:00pm.

The beer and wine will be served in glassware only and never served for to-go purposes. It is Starbucks intention to begin Starbucks Evenings in September if approved by the Liquor Commission. Starbucks is not interested in adding video gaming.

All documents required have been submitted with the exception of the State Liquor License. This is not uncommon to be waiting on the State’s approval while asking for approval from the local Liquor Commission. The Liquor Commission can approve the Class “A” liquor license with the condition of approval being that Starbucks must provide a certified copy (proof) that they obtained a State Liquor License before the Village’s liquor license becomes effective.

Financial Impact

The yearly fee of \$950 has been received and deposited to 01-00-1-4120 / Liquor License revenue line item.

Legal Analysis

Section 110 of the Village Code of Ordinances regulates liquor sale in the Village. The application has been reviewed and is in compliance with Section 110: Alcoholic Beverages requirements.

Chairman Sass asked if the Commission had comments or questions.

Commissioner Leopold asked if Starbucks was bound by the hours in the letter. Attorney Coppedge reported that they are entitled to the hours in the Ordinance. Commissioner Leopold asked if they may only serve beer and wine; Attorney Coppedge stated that they can only serve beer and wine.

Commissioner Piwko asked if the Liquor License covers service outside of the building. Attorney Coppedge reported that it covers the licensed premises. Commissioner Piwko noted the patio needed to be fenced in and asked if the Petitioners were aware of the requirement; representatives from Starbucks stated that they were not aware but will review.

There were no other comments or questions.

A MOTION was made to approve an Ordinance authorizing the issuance of a Class “A” Liquor License to Coffee House Holdings, Inc. d/b/a Starbucks; 12210 Princeton Drive upon receipt of the State of Illinois liquor license.

MOTION: Commissioner Leopold

SECOND: Commissioner Kanakaris

AYES: Commissioners: Goldman, Hoefft, Kanakaris, Leopold, Piwko and Westberg
NAYS: None
ABSENT: None
The Motion Carried: 6-0-0

EXECUTIVE SESSION: None

POSSIBLE ACTION ON ANY CLOSED SESSION ITEMS: None

OTHER BUSINESS: None.

ADJOURNMENT:

There being no further business to discuss, a MOTION was made to adjourn the hearing at 7:08 p.m.

MOTION: Commissioner Piwko

SECOND: Commissioner Westberg

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary