

**VILLAGE OF HUNTLEY
LIQUOR COMMISSION HEARING
February 28, 2019
MINUTES**

CALL TO ORDER:

A meeting of the Huntley Liquor Commission was called to order on Thursday, February 28, 2019 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main Street, Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Chairman Charles H. Sass; Commissioners: Ronda Goldman, Timothy Hoeft, 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, Director of Public Works and Engineering Timothy Farrell and Village Attorney John Cowlin.

PUBLIC COMMENTS: None

ITEMS FOR CONSIDERATION:

- A. Consideration – An Ordinance Approving the Issuance of a Class “I” Liquor License to Jameson’s Huntley, Inc.; 12860 Del Webb Boulevard

Chairman Sass reported that A Class “I” caterers liquor license allows for the sale and delivery of alcoholic beverages in conjunction with the sale and delivery of food by a business engaged in the catering of food. An establishment must be a current Village of Huntley liquor license holder to obtain a Class “I” license.

Staff Analysis

A request has been received from Jameson’s Huntley, Inc. for a Class “I” liquor license to provide beer and wine at the outside concerts in the Sun City pavilion. Jameson’s currently holds a Class “A” license in conjunction with Jameson’s restaurant in Sun City which makes them eligible to obtain a Class “I” license. A \$50 per event fee shall be paid with each individual event application. The individual event application shall be filed with the Village Clerk’s office a minimum of three (3) days prior to the event.

The property owner, Sun City Huntley, has provided a letter allowing Jameson’s to cater the outdoor events taking place at the pavilion.

Financial Impact

The \$250 liquor license fee has been received for the Class “I” caterers license and deposited to 100-00-00-4320.

Legal Analysis

Section 110 of the Village Code of Ordinances regulates liquor sale in the Village. The applications have been reviewed and are in compliance with Section 110: Alcoholic Beverages requirements.

Chairman Sass reported that a representative from Jameson's was in attendance to answer questions.

Chairman Sass asked the Commission if there were any comments or questions.

Commissioner Goldman asked if the area is the Pavilion near the pond; the petitioner said yes that was the location.

There were no other comments or questions.

A MOTION was made to approve an ordinance for the issuance of a Class "I" liquor license to Jameson's Huntley, Inc.; 12860 Del Webb Boulevard.

MOTION: Commissioner Leopold

SECOND: Commissioner Kanakaris

AYES: Commissioners: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg

NAYS: None

ABSENT: None

The Motion Carried: 6-0-0

B. Consideration - An Ordinance Approving the Issuance of a Class "A" Liquor License to Tufano's Pizzeria; 10385 Vine Street

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 Mr. Ignazio Tufano of Tufano's Pizzeria "Tufano's", 10385 Vine Street. Tufano's is planning to expand their operations to include the unit south of their current location to provide a small dining area as well as video gaming. Beer and wine will be sold at the pick-up window in the current pizzeria unit for patrons to bring to the tables in the adjacent unit. Table service will not be offered. Mr. Tufano informed staff the store manager on duty will always be over 21 and will conduct all liquor transactions.

A staff prepared site plan is included based on hand drawn plans submitted by the petitioner. Development Services Department Staff is working with the petitioner on obtaining acceptable plans for the remodeling of the adjacent unit.

As part of the application process, the following items are required to be submitted:

- Signed and notarized Application with Affidavit *Submitted*
- Payment of \$1,500 *Submitted*
- Applicant Profile Information *Submitted*
- Registered Agent Profile Information *Submitted*
- Current Articles of Incorporation *Submitted*
- Current Lease / Deed *Submitted*
- Certificate of Insurance including Best Policy Rating *Submitted*
- Surety Bond *Submitted*
- State Liquor License

- BASSET training information for employees *Must be submitted within 90 days of license issuance*

All documents required have been submitted with the exception of the State Liquor License and the BASSET information. The Liquor Commission can approve the Class “A” liquor license with the condition of approval being that a certified copy (proof) of their State Liquor License be provided before the Village’s liquor license becomes effective.

An additional condition of approval will be the completion of the remodeled adjacent unit.

Video Gaming

A video gaming application has also been submitted to be reviewed and considered by the Village Board. Mr. Tufano has informed staff that if the video gaming license is not approved, he would not be interested in a liquor license at this time.

Per Village Code, video gaming cafes are prohibited except those approved prior to March 2017. The following is an excerpt from the code defining a video gaming café along with the criteria as presented by Mr. Tufano.

Video Gaming Café. A "video gaming cafe" shall be defined as an establishment whose primary or major focus is to operate video gaming terminals as defined under the Illinois Video Gaming Act and the service of alcohol and food is incidental to the operation of video gaming. The following factors may be considered when determining if an establishment is a video gaming café:

- The layout and design of the establishment *See included site plan*
- The preparation and variety of food and beverages offered *See included menu*
- The creation and operation of a commercial kitchen on the premises *Existing kitchen is a commercial kitchen*
- The number of video gaming terminals relative to the customer seating capacity of the establishment is less than 10 customer seats for each terminal, excluding terminal seats *50 seats would be required by code for 5 terminals. Petitioner is presenting twelve (12) seats at four (4) tables.*
- The source of proposed or actual revenue derived from the establishment generated by food and drink sales *Tufano’s Pizzeria has been in business on Vine Street for 13 years.*
- The number of employees at the establishment and their proposed function; *Currently has 5 employees. Drivers are considered a contracted employee.*
- Any other factors as determined relevant by the Village Board

The video gaming application is included on the Village Board agenda for review and consideration.

Financial Impact

The yearly fee of \$1,500 for the liquor license has been received and deposited to the Liquor License revenue line item 100-00-00-4320.

Legal Analysis

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

Chairman Sass reported that Mr. Tufano was in attendance to answer questions.

Chairman Sass asked if the Commission had any comments or questions.

Commissioner Kanakaris asked if the Fire Protection District gave approval for the existing doorway to be closed off. Village Manager Johnson reported that the plans will be reviewed by the Fire Protection District and Village Staff before issuing a building permit.

There were no other questions.

A MOTION was made to approve an Ordinance Approving the Issuance of a Class “A” Liquor License to Tufano’s Pizzerias; 10385 Vine Street subject to the following condition of approval:

- 1. Approval of an Ordinance amending the Village of Huntley Code of Ordinance adding one (1) Class “A” license.**
- 2. Petitioner must show proof of the State of Illinois Liquor Licenses before the Village of Huntley Class “A” Liquor License becomes effective.**
- 3. No alcoholic beverages may be served prior to the completion of the remodel and certificate of occupancy for the adjacent unit.**

MOTION: Commissioner Kanakaris

SECOND: Commissioner Goldman

AYES: Commissioners: Goldman, Hoefl, Kanakaris, Leopold, Piwko and Westberg

NAYS: None

ABSENT: None

The Motion Carried: 6-0-0

- C. Consideration - An Ordinance Amending the Huntley Code of Ordinances – Business Regulations, Alcoholic Beverages Chapter 110 Section 110.24 – Limitation on Licenses – Adding one Class “A” License – 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 seventeen (17) Class “A” licenses instead of sixteen (16) in order to provide for the application from Tufano’s Pizza; 10385 Vine Street. 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. BBQ King Smokehouse | 8. Millie’s LLC |
| 2. Bowl Hi Lanes | 9. Offie’s Tap |
| 3. Bricks & Ivy LLC d/b/a Parkside Pub | 10. Pub 47 |
| 4. Brunch Café | 11. Sal’s Pizzeria |
| 5. Casa Rubi-os | 12. Sammy’s Restaurant |
| 6. Jameson’s Huntley (Del Webb Restaurant) | 13. Soula’s Village Inn |
| 7. Lucky Bernie’s | 14. Tacos Locos |

15. Tee 2 Green Indoor Golf LLC

16. Triple K & B; d/b/a Rookies 3

Financial Impact

The fee for a yearly Class “A” License is \$1,500.00.

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 Tufano’s Pizza 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, Alcoholic Beverages, Chapter 110, Section 110.24 – Limitation on Licenses, Adding one (1) Class “A” License – Liquor Control Ordinance.

MOTION: Commissioner Hoeft

SECOND: Commissioner Piwko

AYES: Commissioners: Goldman, Hoeft, 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 7:04 p.m.

MOTION: Commissioner Piwko

SECOND: Commissioner Westberg

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary