

LIQUOR AND LICENSE COMMISSION
McHenry County Government Center – Administration Building
667 Ware Road - Woodstock IL 60098

MINUTES OF WEDNESDAY, DECEMBER 13, 2006

Chairman Hammerand called the meeting to order at 9:15 a.m. The following members were in attendance: John Hammerand; Pete Merkel; Ed Dvorak; Anna May Miller; and Nick Provenzano. Also in attendance: Jamie Rein, Assistant State's Attorneys; Captain David Shepherd, Sheriff's Department; and interested public.

John Hammerand, Chairman
Ed Dvorak Pete Merkel
Anna May Miller Nick Provenzano

MINUTES OF THE PREVIOUS MEETING: Mr. Provenzano made a motion, seconded by Ms. Miller, to approve the regular session minutes of November, 2006. The minutes were approved as presented with all members present voting aye.

PUBLIC PARTICIPATION: None.

NEW BUSINESS: *Whispers:* Ms. Rein reported that Mr. Schilz, owner of Whispers, has signed a written agreement to make payments of \$200 per month on the liquor violation fine that was imposed in the amount of \$1,000. Mr. Schulz made his first payment this morning. Mr. Schulz stated that he has yet to hire a manager, as his previous person has determined they could not take over these responsibilities due to illness. Mr. Schilz stated that the establishment is open on a limited basis and only open when he is able to be there. It remains closed at all other times. Mr. Schilz stated he is actively seeking a person who can fill the manager position through the internet and his sign in front of the business. He stated that he has an interested person from Alden but has not yet interviewed that individual. Ms. Miller voiced her concern that Mr. Schilz has been unable to find a suitable manager since the last meeting of November 8th. Mr. Dvorak stated that the Commission issued Mr. Schilz a liquor license and if the owner continues to violate the ordinance by improper management procedures the Commission should take further action. Chairman Hammerand stated that with out a properly finger printed and approved manager who lives in the County, the Commission could take steps to impose an additional fine. Mr. Schilz stated that he does live in the County as required by the Liquor Ordinance. Ms. Miller stated that the Commission made it clear at the November meeting that Mr. Schilz needed to have a resident manager and Mr. Schilz's inability to hire a person has led to another extension to time. Mr. Hammerand pointed out that the Commission could revoke or suspend Mr. Schilz's license for lack of a manager. Mr. Provenzano made a motion, seconded by Ms. Miller, to further cite Mr. Schilz for the lack of a manager. The motion carried with all members present voting aye. Mr. Provenzano asked Mr. Schilz if he has paid or posted any advertisement. Mr. Schilz responded "no".

New Liquor Applications: The Commission interviewed Danille Gibson and Judith Karafa who have applied for a liquor license under the corporate name of Grand Old Mill Ltd. due to a change in corporate members. The establishment is located at 7514 Barnard Mill Rd Wonder Lake, Illinois. After reviewing all documents and interviewing the applicant, Mr. Provenzano made a motion, seconded by Mr. Dvorak, to approve a liquor license for the Grand Old Mill, Ltd. subject to the finger print reports. On a roll call vote, the motion carried with all members present voting aye (Dvorak, Provenzano, Merkel, Miller and Hammerand).

Meeting dates and times for 2007: The Commission agreed to keep the same meeting dates and time for 2007.

Continued discussion on Whispers: Ms. Rein asked the Commission for direction on how they would like to handle the previously discussed concerns with Whispers and the owner, Mr. Shilz. Ms. Miller asked if Ms. Rein could negotiate with Mr. Shilz so perhaps a hearing would not be necessary. Mr. Provenzano asked what if any cost there would be if the Commission suspended the license. Mr. Dvorak stated he was concerned with Mr. Shilz's attitude and felt the Commission should take whatever steps necessary to resolve this issue. Ms. Miller stated that the owner is not satisfying the ordinance and he should be held responsible. Mr. Provenzano stated the Commission needs to clarify residency and the purpose, to do so the ordinance would need to be amended. Captain Shepherd stated that it is important to have someone available that can respond quickly should a need arise. Ms. Rein asked that the Commission wait to see how Mr. Shilz responds over the next 30 days, she will also review what if any action could be taken by the Commission.

Members also noted that amendments to the Liquor Ordinance would be necessary to allow for Agritourism.

OLD BUSINESS: *Incident Reports:* None

ADJOURNMENT: Noting no further business, the meeting adjourned at 10:15 a.m. on a motion by Mr. Provenzano seconded by Ms. Miller, with all members present voting aye.

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