



VILLAGE OF PALATINE
VILLAGE HALL - COUNCIL CHAMBERS
200 E. WOOD STREET
PALATINE, IL 60067-5339 – (847) 359-9050
<http://www.palatine.il.us>

PALATINE LIQUOR COMMISSION

AGENDA

FEBRUARY 18, 2019

Regular Meeting

7:05 PM

I. ROLL CALL

II. MINUTES APPROVAL

1. Palatine Liquor Commission - Regular Meeting - February 11, 2019

III. AGENDA ITEMS

1. Consider an Application for a New Class D (Restaurant) Liquor License with Stock Transfer for Jam 5 Inc. (d/b/a Mac's on Slade) at 117 W. Slade Street

IV. ADJOURNMENT

Motion to Adjourn



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PALATINE LIQUOR COMMISSION

MINUTES

FEBRUARY 11, 2019

Regular Meeting

7:05 PM

I. ROLL CALL – Time: 7:11 PM

Attendee Name	Title	Status	Arrived
Jim Schwantz	Commissioner	Present	
Tim Millar	Commissioner	Present	
Scott Lamerand	Commissioner	Present	
Doug Myslinski	Commissioner	Present	
Greg Solberg	Commissioner	Present	
Kollin Kozlowski	Commissioner	Present	
Brad Helms	Commissioner	Present	

Also Present:

Village Clerk Marg Duer, Village Manager Reid Ottesen, Deputy Village Manager Mike Jacobs, Village Attorney Patrick Brankin, Director of Planning & Zoning Ben Vyverberg, Director of Public Works Matt Barry, Fire Chief Scott Andersen, IT Director Larry Schroth, Director of Finance Paul Mehring, Director of Community Services Harry Spila, Director of Human Resources Pam Jackson and Deputy Police Chief Dave Daigle

II. MINUTES APPROVAL

- Palatine Liquor Commission - Regular Meeting - February 4, 2019 - **Accepted**

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Brad Helms, Commissioner
SECONDER:	Doug Myslinski, Commissioner
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

III. AGENDA ITEMS

- Consider an Application for a Class D Liquor License for Wildfire Pizza LLC (d/b/a Portifino's Pizza and Pasta) at 383 W. Northwest Highway - **Approved by Voice Vote**

Village Manager Reid Ottesen stated last week the Liquor Commission approved an increase in the number of Class D (Restaurant) liquor licenses for the new owners of Portofino's Pizza and staff recommends approval.

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Doug Myslinski, Commissioner
SECONDER:	Kollin Kozlowski, Commissioner
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

2. Consider an Application for a Class G Liquor License for Taco Shop at 809 N. Quentin Road - **Approved by Voice Vote**

RESULT:	APPROVED BY VOICE VOTE [UNANIMOUS]
MOVER:	Tim Millar, Commissioner
SECONDER:	Kollin Kozlowski, Commissioner
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

3. Consider a Motion to Amend the Durty Nellie's 2018 - 2019 Liquor License at 180 N. Smith Street -

Village Manager Reid Ottesen explained on January 25, 2019, there was a fire at Durty Nellie's that caused a total loss to the kitchen and significant water damage to other parts of the main floor. Durty Nellie's is diligently working to repair the damage; the bar will be in a condition to reopen one to two months before the kitchen is completed.

Ottesen noted a condition of any liquor license is food service. To try to maintain compliance with the Liquor Code and be able to open the rest of the facility (including the bar), the owners have presented a plan that would include food from several local establishments (Lamplighter Inn and J L Pizza & Pub). Durty Nellie's Staff would take orders and be responsible for pick-up, delivery and serving food orders. Nellie's will close earlier on weeknights, and will have frozen pizzas available the last hour of business on weekends. Any cessation of food service, other than provided by Village Code, shall require the immediate closure of the establishment until food service can be re-established in a manner acceptable to the Village Manager. This condition would expire upon the issuance of a Certificate of Occupancy for the facility or the end of the current license term - whichever occurs first. Staff is recommending this unique amendment to their Liquor License to allow alternative food service in a manner acceptable to the Village Manager.

Mayor Schwantz commended the efforts of Durty Nellie's and staff for working to support downtown businesses in the face of adversity and asked about Health requirements.

Ottesen assured the Health requirements will be met by the food establishments and agreed that it is similar to a catering arrangement.

In response to Councilman Kozlowski, Ottesen stated that this unique amendment would expire with the current liquor license, June 30, 2019.

Everyone is hopeful that the kitchen will be open before June 30.

Jim Dolezal, owner, expressed gratitude for Village support.

4. Motion to Approve Amendment to Durty Nellie's Liquor License - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, Commissioner
SECONDER:	Tim Millar, Commissioner
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

IV. ADJOURNMENT – Time: 7:19 PM

Motion to Adjourn - **Motion Carried by Voice Vote**

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Brad Helms, Commissioner
SECONDER:	Kollin Kozlowski, Commissioner
AYES:	Schwantz, Millar, Lamerand, Myslinski, Solberg, Kozlowski, Helms

Submitted by:

Margaret R. Duer
Village Clerk

Consider an Application for a New Class D (Restaurant) Liquor License with Stock Transfer for Jam 5 Inc. (d/b/a Mac's on Slade) at 117 W. Slade Street

BACKGROUND:

Section 3-34 of the Alcoholic Beverages Code requires that each person who acquires in excess of 5% of the total issued and outstanding stock of the corporation shall report to the local liquor control commission not less than 30 days prior to such acquisition. Any change in excess of 50% of the shares of ownership shall require the issuance of a new liquor license.

Based upon the Liquor License Application completed in 2018, Jeff Van Horn currently owns 50% of the stock of Jam 5 Inc. (d/b/a Mac's on Slade) at 117 W. Slade Street and Maegan Smith owns 50% of the stock. Subsequently, through a series of stock transfers, Jam 5, Inc. now has an ownership structure with 43% percent of the stock of the corporation has been sold to Laurie Joseph with Jeff Van Horn now a 57% stockholder. Maegan Smith, formerly a 50% stockholder, is no longer an owner of the corporation and has no involvement in Mac's on Slade.

KEY ISSUES:

The owner failed to provide necessary notice to the Village a minimum of 30 days prior to the stock change. Instead, this was identified by the Village who contacted the owner to clarify ownership. Despite the corporation being the same, the share transfers necessitate the termination of the previously issued license and a new liquor license be considered. No changes to the operation of the restaurant or menu will be made. A copy of the new liquor license application, business license application and Articles of Amendment are on file in the Village Manager's office.

The Village has received several complaints related to outdoor smoking and the Palatine Police Department will continue to work with ownership to address these complaints.

ALTERNATIVES

1. Approve the issuance of a new liquor license due to change in ownership.
2. Do not approve the issuance of a new liquor license.

RECOMMENDATION:

Based upon previous violations of the Corporation and Owner, Staff recommends action at the discretion of the Liquor Commission.

ACTION REQUIRED:

At the discretion of the Commission.